

Test No.

01

— IAS 2022 —

Prelims/Mains TEST SERIES

Test Answer sheet

1. Correct Option: (c)

Explanation:

- **Statement 1 is not correct:** Article 48A seeks to protect and improve the environment and to safeguard forests and wildlife. Article 48 seeks to organize agriculture and animal husbandry on modern and scientific lines and prohibit the slaughter of cows, calves, and other milch and draught cattle, and improve their breeds.

- Hence, the Wildlife (Protection) Act, 1972 and the Forest (Conservation) Act, 1980, have been enacted to give effect to Article 48 A , **not Article 50.**

- **Statement 2 is correct :** Article 43 seeks to promote cottage industries on an individual or cooperation basis in rural areas.
 - Hence, Khadi and Village Industries Board, Khadi and Village Industries Commission, Small-Scale Industries Board, etc have been set up to give effect to **Article 43.**
- **Statement 3 is correct:** Article 40 seeks to organize village panchayats and endow them with the necessary powers and authority to enable them to function as units of self-government.
 - Hence, the 73rd Constitutional Amendment Act has been passed to give effect to **Article 40.**

without amendments and again presented to the President, it is obligatory for the President to give his assent to the bill. **The President does not possess this veto in the case of money bills (which he/she cannot return) and in case of the Constitutional Amendment Bills (which he/she has to give assent).**

- When a bill is reserved by the governor for the consideration of the President, the President has three alternatives:
 - He may give his assent to the bill, or
 - He may withhold his assent to the bill, or
 - He may direct the governor to return the bill for the reconsideration of the state legislature, if it is not a money bill.
- If the bill is passed again by the state legislature with or without amendments and presented again to the President for his assent, the President is not bound to give his assent to the bill. **In other words, that the state legislature cannot override the veto power of the President.**

3. Correct Option: (d)

Explanation:

- All statements are correct

Supplementary notes:

Accountability checks on executive

- **Vote on Budget by the Lok Sabha.** After the presentation of budget in Lok Sabha it must be passed by the simple majority.
- During Voting on demands for grants stage, the members of Parliament can discuss the details of the budget. They can also move motions to reduce any demand for grant. Such motions are called as 'cut motion', which are of three kinds: **Policy Cut, Economy Cut and Token Cut.**
- **Close scrutiny by Departmental Standing Committees:** They are responsible for the administration and scrutiny of budgetary proposals and Bills of Ministries/Departments.
- **CAG** audits the accounts related to all expenditure from the Consolidated Fund of India, consolidated fund of each state and consolidated fund of each union territory having a Legislative Assembly.
- **Through Public Accounts Committee, Estimates Committee, Committee on Public Undertakings:** These three Financial Committees keep an unremitting vigil over Government spending

2. Correct Option: (c)

Explanation:

- **Both statements are correct**

Supplementary notes:

Presidential veto power

- The President exercises Suspensive Veto when he returns a bill for reconsideration of the Parliament. However, if the bill is passed again by the Parliament with or

and performance and bring to light inefficiencies, waste and indiscretion in the implementation of programmes and policies approved by Parliament.

4. Correct Option: (b)

Explanation:

- **Statement 3 is incorrect:** The nominated members of either House of Parliament can participate in the impeachment of the President though they do not participate in his election.

Supplementary notes:

Impeachment process

- The President can be removed from office by a process of impeachment for ‘violation of the Constitution’. However, the Constitution does not define the meaning of the phrase ‘violation of the Constitution’.
- The impeachment charges can be initiated by either House of Parliament. These charges should be signed by one-fourth members of the House (that framed the charges), and a 14 days’ notice should be given to the President.
- After the impeachment resolution is passed by a majority of two-thirds of the total membership of that House, it is sent to the other House, which should investigate the charges. The President has the right to appear and to be represented at such investigation. If the other House also sustains the charges and passes the impeachment resolution by a majority of two-thirds of the total membership, then the President stands removed from his office from the date on which the resolution is so passed.
- Thus, an impeachment is a quasi-judicial procedure in the Parliament.
- The nominated members of either House of Parliament can participate in the impeachment of the President though they do not participate in his election; (b) the elected members of the legislative assemblies of states and the Union Territories of Delhi, J&K and Puducherry do not participate in the impeachment of the President though they participate in his election.

5. Correct Option: (d)

Explanation:

- **Statement 2 is incorrect:** President submits his resignation to Vice-President.

Supplementary notes:

Term of Indian President

- Article 61 - Procedure for impeachment of the President. President is to be impeached for violation of the Constitution only. Misbehavior is not defined with respect to president.
- President submits his resignation to Vice-President.
- President can hold his office beyond term of Five years until his successor assumes the charges.

6. Correct Option: (b)

Explanation:

- **Statement 2 is incorrect:** The nominated members of both of Houses of Parliament, the nominated members of the state (and UTs, if) legislative assemblies, the members (both elected and nominated) of the state legislative councils (in case of the bicameral legislature) do not participate in the election of the President.
- **Statement 3 is incorrect:** The voting is done by secret ballot.

Supplementary notes:

Presidential Electoral College

- The voting is done by secret ballot.
- The President is elected by an Electoral College consisting of the elected members of both Houses of Parliament i.e. Lok Sabha and Rajya Sabha and of the State Legislative Assemblies (Vidhan Sabhas).
- Thus, the nominated members of both of Houses of Parliament, the nominated members of the state legislative assemblies, the members (both elected and nominated) of the state legislative councils (in case of the bicameral legislature) and the nominated members of the Legislative Assemblies of Delhi, Puducherry, and Jammu & Kashmir (from next election) do not participate in the election of the President.
- Where an assembly is dissolved, the members cease to be qualified to vote in Presidential election, even if fresh elections to the dissolved assembly are not held before the Presidential election.
- The Constitution provides that there shall be uniformity in the scale of representation of different states as well as parity between the states as a whole and the Union at the election of the President.
- The election is held by means of single transferable vote system of proportional representation.

7. Correct Option: (d)

Explanation:

- **All statements are correct**

Supplementary notes:

Executive powers and functions of the President

- The executive powers and functions of the President are as follows:
 - All executive actions of the Government of India are formally taken in his name.
 - He can make rules specifying the manner in which the orders and other instruments made and executed in his name shall be authenticated.
 - **He can make rules for more convenient transaction of business of the Union government, and for allocation of the said business among the ministers.**
 - He appoints the prime minister and the other ministers. They hold office during his pleasure.
 - He appoints the attorney general of India and determines his remuneration. The attorney general holds office during the pleasure of the President.
 - He appoints the comptroller and auditor general of India, the chief election commissioner and other election commissioners, the chairman and members of the Union Public Service Commission, the governors of states, the chairman and members of finance commission, and so on.
 - He can seek any information relating to the administration of affairs of the Union, and proposals for legislation from the prime minister.
 - He can require the Prime Minister to submit, for consideration of the council of ministers, any matter on which a decision has been taken by a minister but, which has not been considered by the council.
 - He can appoint a commission to investigate into the conditions of SCs, STs and other backward classes.
 - He directly administers the union territories through administrators appointed by him.
 - **He can declare any area as scheduled area and has powers with respect to the administration of scheduled areas and tribal areas.**

- He can appoint an inter-state council by his order to promote Centre-state and inter-state cooperation which is presided over by Prime Minister.

8. Correct Option: (a)

Explanation:

- **Statement 2 is incorrect:** They are not members of the cabinet.

Supplementary notes:

Composition of the Council of Ministers

- The council of ministers consists of three categories of ministers, namely, cabinet ministers, ministers of state, and deputy ministers. The difference between them lies in their respective ranks, emoluments, and political importance. At the top of all these ministers stands the Prime Minister—the supreme governing authority of the country.
- The Cabinet is a **smaller body which consists of a few important senior ministers.** The cabinet ministers head the important ministries of the Central government like home, defence, finance, external affairs and so forth. They are members of the cabinet, attend its meetings and play an important role in deciding policies. Thus, their responsibilities extend over the entire gamut of Central government.
- The Deputy Ministers act as **assistants to their chiefs** and look after their work in their absence. The number of ministers may vary according to the volume and variety of work of the Central government.
- A Minister of State is a junior minister in the Council of Ministers in the Federal or Central Government who may assist a Cabinet Minister or have independent charge of a ministry. In case of independent charge, they perform the same functions and exercise the same powers in relation to their ministries/departments as cabinet ministers do. However, they are not members of the cabinet and do not attend the cabinet meetings unless specially invited when something related to their ministries/departments are considered by the cabinet.

9. Correct Option: (c)

Explanation:

- **Statement 1 is incorrect:** Article 74 (2) says 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.

- **Statement 2 is incorrect:** President must act in accordance with the advice tendered by the Prime Minister but not always.

Supplementary notes:

Prime Minister of India

- **Article 74 (2)** says 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. (Provided that the President may require the Council of Ministers to reconsider such advice, either generally or otherwise, and the President shall act in accordance with the advice tendered after such reconsideration).
- **President must act in accordance with the advice tendered by the Prime Minister but not always.** Though the President has no constitutional discretion, he has some **situational discretion**. In other words, the President can act on his discretion (that is, without the advice of the ministers) under the following situations:
 - Appointment of Prime Minister when no party has a clear majority in the Lok Sabha or when the Prime Minister in office dies suddenly and there is no obvious successor.
 - Dismissal of the Council of ministers when it cannot prove the confidence of the Lok Sabha.
 - Dissolution of the Lok Sabha if the council of ministers has lost its majority

10. Correct Option: (b)

Explanation:

- **Statement 1 is incorrect:** A minister, who is not a member of either House, can participate in the proceedings of both the Houses until six months.

Supplementary notes:

Indian Parliament

- **A minister, who is not a member of either House, can participate in the proceedings of both the Houses until six months after which s/he ceases to be a minister. Thus, in the meantime, s/he has to become a member of either of the Houses.**
- Rule 198 of the Rules of Procedure and Conduct of Business in Lok Sabha lays down the procedure for moving a Motion of No-Confidence in the Council of Ministers. The usual format of such a motion is that

"this House expresses its want of confidence in the Council of Ministers". A Motion of No-confidence need not set out any grounds on which it is based. Even when grounds are mentioned in the notice and read out in the House, they do not form part of the No-confidence Motion.

11. Correct Option: (b)

Explanation:

- **Option (b) is correct**

Supplementary notes:

Cabinet Secretariat

- The Cabinet Secretariat functions directly under the Prime Minister. The administrative head of the Secretariat is the Cabinet Secretary who is also the **ex-officio Chairman of the Civil Services Board**. The business allocated to Cabinet Secretariat under Government of India (Allocation of Business) Rules, 1961 includes (i) Secretarial assistance to the Cabinet and Cabinet Committees; and (ii) Rules of Business.
- The Cabinet Secretariat is responsible for the administration of the Government of India (Transaction of Business) Rules, 1961 and Government of India (Allocation of Business) Rules, 1961 facilitating smooth transaction of business in Ministries/ Departments. The Secretariat assists in decision-making in Government by ensuring Inter-Ministerial coordination, ironing out differences amongst Ministries/ Departments and evolving consensus through the instrumentality of the standing/adhoc Committees of Secretaries. Management of major crisis situations in the country and coordinating activities of various ministries in such a situation is also one of the functions of the Cabinet Secretariat.

12. Correct Option: (a)

Explanation:

- **Statement 3 is incorrect:** He should have completed 35 years of age.

Supplementary notes:

Vice President Election

- To be eligible for election as Vice-President, a person should fulfill the following qualifications:
- He should be a citizen of India.
- **He should have completed 35 years of age.**

- He should be qualified for election as a member of the Rajya Sabha.
- President or Vice-President of the Union, the governor of any state and a minister for the Union or any state is not deemed to hold any office of profit and hence qualified for being a candidate for Vice-President.
- **The election of a person as Vice-President cannot be challenged on grounds that the Electoral College was incomplete** (i.e., existence of any vacancy among the members of Electoral College).

13. Correct Option: (a)

Explanation:

- **Statement 2 is incorrect:** Before the Chief Minister enters his office, the Governor administers to him the oaths of office and secrecy.

Supplementary notes:

Chief Minister in State

- In the scheme of Parliamentary system of government provided by the Constitution, **the governor is the nominal executive authority (de jure executive)** and the **Chief Minister is the real executive authority (de facto executive)**. In other words, the governor is the head of the state while the Chief Minister is the head of the government. Thus, the position of the Chief Minister at the state level is analogous to the position of prime minister at the Centre.
- Before the Chief Minister enters his office, the **Governor administers to him the oaths of office and secrecy**. In his oath of secrecy, the Chief Minister swears that he will not directly or indirectly communicate or reveal to any person(s) any matter that is brought under his consideration or becomes known to him as a state minister except as may be required for the due discharge of his duties as such minister.
- The **Constitution does not contain any specific procedure for the selection and appointment of the Chief Minister**. Article 164 only says that the Chief Minister shall be appointed by the governor.
- However, this does not imply that the governor is free to appoint any one as the Chief Minister. In accordance with the conventions of the Parliamentary system of government, the governor has to appoint the leader of the majority party in the state legislative assembly as the Chief Minister. But, when no party has a clear majority in the assembly, then the governor may exercise his personal discretion in the selection and appointment of the Chief Minister.

- In such a situation, the governor usually appoints the leader of the largest party or coalition in the assembly as the Chief Minister and asks him to seek a vote of confidence in the House within a month.

14. Correct Option: (c)

Explanation:

- **Statement 1 is incorrect:** Indian Constitution has adopted **Canadian model** for the appointment of the Governor.

Supplementary notes:

The Governor

- **The Governor is neither directly elected by the people nor indirectly elected by a specially constituted electoral college as is the case with the President.**
- **He is appointed by the President by warrant under his hand and seal.** In a way, he is a nominee of the Central government. But, as held by the Supreme Court in 1979, the office of Governor of a state is not an employment under the Central government. It is an independent constitutional office and is not under the control of or subordinate to the Central government.
- **The Canadian model of governor where the Governor of a province (state) is appointed by the Governor-General (Centre), was accepted in the Constituent Assembly.**
- **The Constitution lays down only two qualifications for the appointment of a person as a Governor. These are:**
 - S/He should be a citizen of India.
 - **S/He should have completed the age of 35 years.**
- Additionally, two conventions have also developed in this regard over the years.
 - First, he should be an outsider, that is, he should not belong to the state where he is appointed, so that he is free from the local politics.
 - Second, while appointing the Governor, the President is required to consult the Chief Minister of the state concerned, so that the smooth functioning of the constitutional machinery in the state is ensured. However, both the conventions have been violated in some of the cases.

15. Correct Option: (c)

Explanation:

- **Option (c) is correct**

Supplementary notes:

Constitutional discretionary powers of Governors

- The Governor has constitutional discretion in the following cases:
 - **Reservation of a bill for the consideration of the President.**
 - **Recommendation for the imposition of President's Rule in the state.**
 - **While exercising his functions as the administrator of an adjoining union territory.**
 - Determining the annual amount payable by the governor of Assam, Meghalaya, Tripura, and Mizoram to an Autonomous Tribal District Council as royalty occurring from licenses for mineral exploration.
 - **Seeking information from the Chief Minister with regard to the administrative and legislative matters of state.**

Situational discretion

- In addition to the above constitutional discretion (i.e., the express discretion mentioned in the Constitution), the Governor, like the President, also has **situational discretion** (i.e., the hidden discretion derived from the exigencies of a prevailing political situation) in the following cases:
 - Appointment of Chief Minister when no party has a clear-cut majority in the state legislative assembly or when the Chief Minister in office dies suddenly and there is no obvious successor.
 - Dismissal of the Council of Ministers when it cannot prove the confidence of the state legislative assembly.
 - **Dissolution of the state legislative assembly if the Council of Ministers has lost its majority.**

16. Correct Option: (b)

Explanation:

- **Statement 2 is incorrect:** Commutation: It denotes the substitution of one form of punishment with a lighter form and also applicable in case of court martial.

Supplementary notes:

Pardoning Power of the President

- The President shall have the power to grant pardons, reprieves, respites or remission of punishment or to suspend, remit or commute

the sentence of any persons convicted of any offence.

- In all cases where the punishment or sentence is by a court martial.
- In all cases where the punishment or sentence is for an offence against any law relating to a matter to which the executive power of the Union extends.
- In all cases where the sentence is a sentence of death.
- The pardoning power of the President includes the following:
 - **Pardon:** It removes both the sentence and the conviction and completely absolves the convict from all sentences, punishments and disqualifications.
 - **Commutation:** It denotes the substitution of one form of punishment with a lighter form and also applicable in case of court martial.
 - **Remission:** It implies reducing the period of sentence without changing its character. For example, a sentence of rigorous imprisonment for two years may be remitted to rigorous imprisonment for one year.
 - **Respite:** It denotes awarding a lesser sentence in place of one originally awarded due to some special fact, such as the physical disability of a convict or the pregnancy of a woman offender.
 - **Reprieve:** It implies a stay of the execution of a sentence (especially that of death) for a temporary period. Its purpose is to enable the convict to have time to seek pardon or commutation from the President.

17. Correct Option: (a)

Explanation:

- **Statement 2 is incorrect:** The deputy speaker is directly responsible to the Lok Sabha as s/he is elected by the members of Lok Sabha, and not by the Speaker.

Supplementary notes:

Speaker of Lok Sabha

- The office of the speaker occupies a pivotal position in our parliamentary democracy. It has been said of the office of the speaker that while the members of parliament represent the individual constituencies, the speaker represents the full authority of the house itself. He/she symbolises the dignity and power of the house over which he/she is presiding.

- In the Lok Sabha, the lower house of the Indian Parliament, both presiding officers - **the speaker and the deputy speaker** are elected from among its members by a simple majority of members present and voting in the house. As such, no specific qualifications are prescribed for being elected the speaker. The Constitution only requires that speaker should be a member of the house. But an understanding of the Constitution and the laws of the country and the rules of procedure and conventions of Parliament is considered a major asset for the holder of the office of the speaker.
- **The Speaker holds office from the date of his/her election till immediately before the first meeting of the Lok Sabha after the dissolution of the one to which he/she was elected. He/she is eligible for re-election. On the dissolution of the Lok Sabha, although the speaker ceases to be a member of the house, he/she does not vacate his/her office.** The speaker may, at any time, resign from office by writing under his/her hand to the deputy speaker. The speaker can be removed from office only on a resolution of the house passed by a majority of all the then members of the house.
- **When States Make a Request:** When the legislatures of two or more states pass resolutions requesting the Parliament to enact laws on a matter in the State List, then the Parliament can make laws for regulating that matter. A law so enacted applies only to those states which have passed the resolutions. However, any other state may adopt it afterwards by passing a resolution to that effect in its legislature. Such a law can be amended or repealed only by the Parliament and not by the legislatures of the concerned states.
- **To Implement International Agreements:** The Parliament can make laws on any matter in the State List for implementing the international treaties, agreements or conventions. This provision enables the Central government to fulfil its international obligations and commitments.
- **During President's Rule:** When the President's rule is imposed in a state, the Parliament becomes empowered to make laws with respect to any matter in the State List in relation to that state.

18. Correct Option: (b)

Explanation:

- Option (b) is correct

Supplementary notes:

Legislative powers of the Parliament

- The distribution of legislative powers between the Centre and the states is to be maintained in normal times. But, in abnormal times, the distribution is either modified or suspended. In other words, the Constitution empowers the **Parliament to make laws on any matter enumerated in the State List Without consent of any State under the following five extraordinary circumstances:**
 - **When Rajya Sabha Passes a Resolution:** If the Rajya Sabha declares that it is necessary in the national interest that Parliament should make laws on a matter in the State List, then the Parliament becomes competent to make laws on that matter.
 - **During a National Emergency:** The Parliament acquires the power to legislate with respect to matters in the State List, while a proclamation of national emergency is in operation.

19. Correct Option: (c)

Explanation:

- **Statement 2 is incorrect:** A person must not be less than 30 years of age in the case of Rajya Sabha to become its members.

Supplementary notes:

Rajya Sabha

- The maximum strength of the Rajya Sabha is fixed at 250, out of which, 238 are to be the representatives of the states and union territories and 12 are nominated by the President. **The seats are allotted to the states in the Rajya Sabha on the basis of the Population.**
- **A person must not be less than thirty years of age in the case of Rajya Sabha to become its members.**
- According to Representation of People Act, a person must be a registered elector for a parliamentary constituency to become a Member of Parliament. This is same in the case of both, the Rajya Sabha and the Lok Sabha.
- **The requirement that a candidate contesting an election to the Rajya Sabha from a particular state should be an elector in that particular state was dispensed with in 2003.** In

2006, the Supreme Court upheld the constitutional validity of this change.

20. Correct Option: (a)

Explanation:

- **Statement 3 is incorrect:** There is no such provision in the 10th schedule for his disqualification.
- **Statement 4 is incorrect:** If any nominated member joins any political party after the expiry of six months; he is eligible for disqualification under 10th schedule.

Supplementary notes:

Disqualification on the Ground of Defection

- The Constitution lays down that a person shall be disqualified from being a member of Parliament if he is so disqualified on the ground of defection under the provisions of the Tenth Schedule. A member incurs disqualification under the defection law:
 - if he voluntary gives up the membership of the political party on whose ticket he is elected to the House;
 - if he votes or abstains from voting in the House contrary to any direction given by his political party;
 - if any independently elected member joins any political party; and
 - if any nominated member joins any political party after the expiry of six months.
- The question of disqualification under the Tenth Schedule is decided by the Chairman in the case of Rajya Sabha and Speaker in the case of Lok Sabha (and not by the president of India). In 1992, the Supreme Court ruled that the decision of the Chairman/Speaker in this regard is subject to judicial review.

21. Correct Option: (d)

Explanation:

- **All pairs are correctly matched**

Supplementary notes:

Important Parliamentary terms

- **Expunction:** Deletion of words, phrases or expressions from the proceedings or records of Rajya Sabha by an order of the Chairman for being defamatory or indecent or unparliamentary or undignified.
- **Casting Vote:** The vote casted by the Chairman, or a Member acting as such

in the House and by the Chairman or a Member acting as such in a Committee, in the case of an equality of votes on a matter.

- **Adjournment sine die:** Termination of a sitting of the House without any definite date being fixed for the next sitting.
- **Draw of lot:** A method applied to determine the relative precedence of private members Bills and Resolutions, notices of questions, half-an-hour discussions or any other notice given by more than one member simultaneously for being taken up on the same day.
- **Naming a Member:** The drawing of attention of the House by the Chairman to the conduct of a member who disregards the authority of the Chair or abuses the Rules of the House by persistently and willfully obstructing the business thereof, with a view to action being taken to suspend him from the service of the House for a period not exceeding the remainder of the session.

22. Correct Option: (b)

Explanation:

- **Statement 1 is incorrect:** The leader of opposition in the Lok Sabha has only a statutory recognition.

Supplementary notes:

Leader of opposition in Lok Sabha

- **The leader of opposition in the Lok Sabha and Rajya Sabha were accorded statutory recognition in 1977.** They are entitled to the salary, allowances and other facilities equivalent to that of a cabinet minister.
- **In each house of the Parliament, there is the 'Leader of the opposition'.** The Leader of the largest Opposition Party having not less than one-tenth seats of the total strength of the House is recognized as the leader of the Opposition in that House.
- In the parliamentary system of the government, the leader of the opposition has significant role to play. His main functions are to provide a constructive criticism of the policies of the government and to provide an alternative government.

23. Correct Option: (a)

Explanation:

- **Option (a) is correct**

Supplementary notes:

Equality of Power and Status between Lok Sabha & Rajya Sabha

- In the following matters, the powers and status of the Rajya Sabha are equal to that of the Lok Sabha:
 - Introduction and passage of ordinary bills.
 - Introduction and passage of Constitutional amendment bills.
 - **Introduction and passage of financial bills involving expenditure from the Consolidated Fund of India.**
 - Election and impeachment of the President.
 - 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.
 - Selection of ministers including the Prime Minister. Under the Constitution, the ministers including the Prime Minister can be members of either House. However, irrespective of their membership, they are responsible only to the Lok Sabha.
 - Consideration of the reports of the constitutional bodies like Finance Commission, Union Public Service Commission, comptroller and auditor general, etc.
 - Enlargement of the jurisdiction of the Supreme Court and the Union Public Service Commission, etc.

Unequal Power

- Money Bill can be introduced only in the Lok Sabha.
- A resolution for the discontinuance of the **national emergency can be passed only by the Lok Sabha and not by the Rajya Sabha.**
- Removal of the Vice-President. **Rajya Sabha alone can initiate the removal of the vice-president. He is removed by a resolution passed by the Rajya Sabha by a special majority and agreed to by the Lok Sabha by a simple majority.**

24. Correct Option: (a)

Explanation:

- **Statement 3 is incorrect:** Ministers including the chief minister can be members of either House of the state legislature.

Supplementary notes:

State Legislative Councils vis-à-vis Rajya Sabha

- Both the council and the Rajya Sabha are second chambers, the Constitution has given the council much lesser importance than the Rajya Sabha due to the following reasons:
 - The Rajya Sabha consists of the representatives of the states and thus reflect the federal element of the polity. It maintains the federal equilibrium by protecting the interests of the states against the undue interference of the Centre. Therefore, it has to be an effective revising body and not just an advisory body or dilatory body like that of the council. On the other hand, the issue of federal significance does not arise in the case of a council.
 - The council is heterogeneously constituted. It represents different interests and consists of differently elected members and also includes nominated members. Its very composition makes its position weak and reduces its utility as an effective revising body. On the other hand, the Rajya Sabha is homogeneously constituted. It represents only the states and consists of mainly elected members (only 12 out of 250 are nominated).
 - The position accorded to the council is in accordance with the principles of democracy. The council should yield to the assembly, which is a popular house. This pattern of relationship between the two Houses of the state legislature is adopted from the British model.
 - The final power of passing an ordinary bill also lies with the assembly. At the most, the council can detain or delay the bill for the period of four months—three months in the first instance and one month in the second instance. In other words, the council is not even a revising body like the Rajya Sabha; it is only a dilatory chamber or an advisory body.
 - Under the Constitution the, ministers including the chief minister can be members of either House of the state legislature. However, irrespective of their membership, they are responsible

only to the assembly unlike as in the case of Rajya Sabha where the minister is responsible to the Rajya Sabha if s/he is its member.

25. Correct Option: (d)

Explanation:

- **All statements are correct**

Supplementary notes:

Special powers of Rajya Sabha

- Rajya Sabha being a federal chamber - representing States/Union territories, enjoys certain special powers:
 - to empower Parliament to make laws in respect of any matter enumerated in the State List in the national interest by adopting a resolution to this effect (article 249)
 - creation of All India Services (article 312) and
 - approving Proclamations (issued under article 352 or article 356 or article 360) if the Lok Sabha stand dissolved or the dissolution of the Lok Sabha takes place within the period allowed for the approval of the Proclamation by Parliament. The proclamation of emergency can remain effective even if it is approved by the Rajya Sabha alone.

26. Correct Option: (a)

Explanation:

- **Statement 3 is incorrect:** In the case of throwing leaflets and chappal, the offending individuals can be sentenced to simple imprisonment.

Supplementary notes:

Breach of Privilege or Contempt of the House

- Parliamentary privilege refers to rights and immunities enjoyed by Parliament as an institution and MPs in their individual capacity, without which they cannot discharge their functions as entrusted upon them by the Constitution.
- **A breach of privilege is a violation of any of the privileges of MPs/Parliament.**
- Among other things, any action ‘casting reflections’ on MPs, parliament or its committees; could be considered breach of privilege.
- **This may include publishing of news items, editorials or statements made in**

newspaper/magazine/TV interviews or in public speeches.

- The house can ensure attendance of the offending person. The person can be given a warning and let go or be sent to prison as the case may be. **In the case of throwing leaflets and chappal, the offending individuals can be sentenced to simple imprisonment.**

27. Correct Option: (b)

Explanation:

- **Statement 1 is incorrect:** President may address either House of Parliament or both Houses assembled together.

Supplementary notes:

President's Address

- Article 86 (1) of the Constitution provides that the President may address either House of Parliament or both Houses assembled together, and for that purpose require the attendance of members. However, since the commencement of the Constitution, the President has not so far addressed either House or both Houses assembled together under the provision of this article.
- Article 87 provides for the special address by the President. Clause (1) of that article provides that at the commencement of the first session after each general election to the House of the People and at the commencement of the first session of each year, the President shall address both Houses of Parliament assembled together and inform Parliament of the causes of its summons.
- Such an Address is called ‘special address’; and it is also an annual feature. **No other business is transacted till the President has addressed both Houses of Parliament assembled together.**
- The scope of discussion on the Address is very wide and the members are free to speak on all sorts of national or international problems. **Even matters which are not specifically mentioned in the Address are brought into discussion through amendments to Motion of Thanks.**
- The only limitations are that members cannot refer to matters which are not the direct responsibility of the Central Government and that the name of the President cannot be brought in during the debate since the Government and not the President is responsible for the contents of the Address.

28. Correct Option: (d)

Explanation:

- **Statement 1 is incorrect:** Article 108 and A. 118 of the Constitution have the provisions regarding the Joint sitting of the Parliament.
- **Statement 2 is incorrect:** The President can summon both the Houses for a joint sitting if the Bill is rejected by the other House or, the Houses have finally disagreed as to the amendments to be made in the Bill, or more than six months elapse from the date of the reception of the Bill by the other House without the Bill being passed by it.
- **Statement 3 is incorrect:** Deputy Speaker of Lok Sabha, or Deputy Chairman of Rajya Sabha, or any other person as may be determined by the members present at the joint sitting, can also preside over the meeting.

Supplementary notes:

Joint sitting of Parliament

- **As per Article 108 of Constitution, a Joint Sitting of Parliament can be summoned in the following situations:**
 - If after a Bill has been passed by one House and transmitted to the other House:
 - Bill is rejected by the other House; or
 - Houses have finally disagreed as to the amendments to be made in the Bill;
 - More than six months elapse from the date of the reception of the Bill by the other House without the Bill being passed by it. However, in calculating period of six months, those days are not considered when house is prorogued or adjourned for more than 4 consecutive days.
 - In the above three situations, the president can summon both the Houses to meet in a joint sitting for the purpose of deliberating and voting on the bill.

Who preside the Joint sitting?

- **As per the A. 118 (4), the Speaker of Lok Sabha presides over a joint sitting of the two Houses.**
- **As per the Rules of Procedure and Conduct of Business in Lok Sabha, during the absence of the Speaker from any joint sitting, the Deputy Speaker of the House or, if he is also absent, the**

Deputy Chairman of the Council or, if he is also absent such other person as may be determined by the members present at the sitting, shall preside over the meeting.

Joint sittings so far

- So far, joint sittings of the two Houses have taken place on three occasions.
- The first joint sitting was held on 6 May 1961 following a disagreement between the two Houses over certain amendments to the Dowry Prohibition Bill, 1959. This was followed by another sitting on 9 May 1961 when the Bill, as amended, was finally passed.
- The second joint sitting was held on 16 May 1978, following the rejection by the Rajya Sabha of the Banking Service Commission (Repeal) Bill, 1977 and the Bill was passed.
- The third joint sitting was held on 26 March 2002 when the motion to consider the Prevention of Terrorism Bill, 2002, seeking to replace the Prevention of Terrorism Ordinance (POTO) as passed by the Lok Sabha was rejected by the Rajya Sabha. At this sitting held for the purpose of deliberating and voting on the Prevention of Terrorism Bill, 2002, the Bill was passed.

29. Correct Option: (b)

Explanation:

- **Statement 3 is incorrect:** The President may either give or withhold assent to a Money Bill.

Supplementary notes:

Money Bill

- **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:
 - The imposition, abolition, remission, alteration or regulation of any tax;
 - The regulation of the borrowing of money by the Union government;
 - The custody of the Consolidated Fund of India or the contingency fund of India, the payment of moneys into or the withdrawal of money from any such fund;
 - The appropriation of money out of the Consolidated Fund of India;

- Declaration of any expenditure charged on the Consolidated Fund of India or increasing the amount of any such expenditure;
- The receipt of money on account of the Consolidated Fund of India or the public account of India or the custody or issue of such money, or the audit of the accounts of the Union or of a state; or
- Any matter incidental to any of the matters specified above.
- If any question arises whether a bill is a money bill or not, the **decision of the Speaker of the Lok Sabha is final**. His decision in this regard cannot be questioned in any court of law or in the either House of Parliament or even the president. When a money bill is transmitted to the Rajya Sabha for recommendation and presented to the president for assent, the Speaker endorses it as a money bill.
- A money bill **can only be introduced in the Lok Sabha** and that too on the recommendation of the President. After a money bill is passed by the Lok Sabha, it is transmitted to the Rajya Sabha for its consideration. **The Rajya Sabha has restricted powers with regard to a money bill.** It cannot reject or amend a money bill. It can only make the recommendations. It must return the bill to the Lok Sabha within 14 days, wither with or without recommendations. The Lok Sabha can either accept or reject all or any of the recommendations of the Rajya Sabha.
- **A money bill can be introduced by a minister (even from Rajya Sabha) (Government Bill), or be any member of the Parliament (Private Member's Bill) but only in Lok Sabha.**
- **The President may either give or withhold assent to a Money Bill.** Under the Constitution, a Money Bill cannot be returned to the House by the President for reconsideration.

Some Categories of Money Bills

- **Finance Bill:** Finance Bill is a secret bill introduced in Lok Sabha every year immediately after the presentation of the General Budget to give effect to the financial proposals of the Government of India for the following financial year. Finance Bills are treated as Money Bills as they substantially deal with amendments to various tax laws and matters incidental thereto.
- **Appropriation Bill:** An Appropriation Bill is introduced in Lok Sabha immediately after adoption of the relevant demands for

grants. Such Bills are categorised as Money Bills as they seek to authorise appropriation from the Consolidated Fund of India, of all moneys required to meet the grants made by the House and the expenditure charged on the Consolidated Fund of India

30. Correct Option: (b)

Explanation:

- **Statement 2 is incorrect:** Financial Bills can be rejected/amended by the Rajya Sabha or be referred to a Joint Committee of the Houses.

Supplementary notes:

Financial Bills

- Whereas a Money Bill deals solely with matters specified in article 110 (1) (a) to (g) of the Constitution, a Financial Bill does not exclusively deal with all or any of the matters specified in the said article that is to say it contains some other provisions also. Financial Bills can be divided into two categories:
 - In the first category are Bills which contain provisions attracting article 110(1) (a) to (f) of the Constitution. They are categorized as Financial Bills under article 117 (1) of the Constitution. Like Money Bills, they can be introduced only in Lok Sabha **on the recommendation of the President**. However, other restrictions in regard to Money Bills do not apply to this category of Bills. Financial Bill under article 117(1) of the Constitution can be rejected or amended by the Rajya Sabha or be referred to a Joint Committee of the Houses.
 - **In the second category are those Bills which contain provisions which would on enactment involve expenditure from the Consolidated Fund of India.** Such Bills are categorized as Financial Bills under article 117 (3) of the Constitution. Such Bills can be introduced in both House of Parliament and follow normal procedures of ordinary bills. However, recommendation of the President is essential for consideration of these Bills by either House and unless such recommendation is received, neither House can pass the Bill.

31. Correct Option: (d)

Explanation:

- **All statements are correct**

Supplementary notes:

Constituent Amendment Bills

- A Constitution Amendment Bill must be passed by both Houses of Parliament. It would require a simple majority of the total membership of that House, and a two thirds majority of all members present and voting. Further, if the Bill relates to matters like the election of the President and Governor, executive and legislative powers of the centre and states, the judiciary, or those of federal structure, etc., it must be ratified by at least half of the state legislatures.
- **These Bills can be introduced in either House of Parliament. If sponsored by a Private Member, the Bill has to be examined in the first instance and recommended for introduction by the Committee on Private Members' Bills and Resolutions before it is included for introduction in the List of Business. Motions for introduction of the Bills are decided by simple majority.**
- In case of any disagreement between the two Houses of Parliament on a Constitution Amendment Bill, there cannot be a joint sitting of the Houses of Parliament on the Bill as article 368 of the Constitution requires each House to pass the Bill by the prescribed special majority.
- Constitution Amendment Bills passed by Parliament by the prescribed special majority and, where necessary, ratified by the requisite number of State Legislatures are presented to the President under article 368 of the Constitution under which the **President is bound to give assent to such Bills.**
- **A Constitution Amendment Bill is not treated as a Money Bill even if all its provisions attract article 110(1)** for the reason that such amendments are governed by article 368 which over-rides the provisions regarding Money Bills.

32. Correct Option: (a)

Explanation:

- **Statement 2 is incorrect:** Calling attention motion is mentioned in the rule of procedure, not Zero Hour.

Supplementary notes:

Zero hour and calling attention motion

- **Zero hour** is an informal device available to Members of Parliament to **raise matter without any prior notice** whereas **calling attention motion** used to call the attention of minister to a **matter of urgent public importance**.

Zero hour:

- Unlike the question hour, the **zero hour is not mentioned in the Rules of Procedure**. Thus it is an **informal device available to the members of the Parliament** to raise matters without any prior notice. Calling attention motion is **mentioned in the rule of procedure, not Zero Hour.**
- The zero hour **starts immediately after the question hour and lasts until the agenda for the day** (, i.e., regular business of the House) is taken up. In other words, the **time gap between the question hour and the agenda is known as zero hour**. It is an **Indian innovation** in the field of parliamentary procedures and has been existence since 1962.

Calling Attention Motion:

- It is **introduced in the Parliament by a member to call the attention of a minister to a matter of urgent public importance, and to seek an authoritative statement from him on that matter.**
- Like the zero hour, it is also an **Indian innovation** in the parliamentary procedure and has been in existence since 1954. However, unlike the zero hour, it is **mentioned in the Rules of Procedure.**

33. Correct Option: (b)

Explanation:

- **Statement 1 is incorrect:** Under Article 169, Parliament may by law create or abolish the second chamber in a State if the Legislative Assembly of that State passes a resolution to that effect by a special majority.
- **Statement 3 is incorrect:** The members of the Legislative Councils cannot take part in the election of the President.

Supplementary notes:

Bicameral Legislature

- Bicameralism is the practice of having two Houses of Parliament. At the State level, the equivalent of the Lok Sabha is the Vidhan Sabha (Legislative Assembly), and that of the Rajya Sabha is the Vidhan Parishad (Legislative Council).
- Under Article 169, **Parliament** may by law create or abolish the second chamber in a State if the Legislative Assembly of that State **passes a resolution to that effect by a special majority.**
- **Presently, Six Indian States** such as Andhra Pradesh, Telangana, Bihar,

- Karnataka, Maharashtra and Uttar Pradesh, have bicameral Legislatures. These are called legislative councils (Vidhan Parishad), one third of whom are elected every two years; there are graduate constituencies (members elected exclusively by graduates), teachers' constituencies (members elected exclusively by teachers), and municipal constituencies (members elected exclusively by Mayors and council members of the city Governments).
- The Constitution gives Councils limited legislative powers. Unlike Rajya Sabha which has substantial powers to shape non-financial legislation, Legislative Councils lack the constitutional mandate to do so. **Legislative Assemblies have the power to override suggestions/amendments made to legislation by the Council.**
 - Also, while Rajya Sabha MPs can vote in the election of the President and Vice-President, members of Legislative Councils can't. MLCs also can't vote in the elections of Rajya Sabha members.
 - That is, **the Electoral College for the ensuing Presidential Election consists of (a) the elected members of both Houses of Parliament, and (b) the elected members of the Legislative Assemblies** of the States and UTs (Delhi, J&K, and Puducherry).
- 34. Correct Option: (c)**
- Explanation:**
- Option (c) is correct
- Supplementary notes:**
- Delimitation Commission**
- Delimitation is the act or process of fixing limits or boundaries of territorial constituencies in a country to represent changes in population.
 - Under Article 82, the Parliament enacts a Delimitation Act after every Census.
 - Under Article 170, States also get divided into territorial constituencies as per Delimitation Act after every Census.
 - The Delimitation Commission in India is a high power body whose orders have the force of law and cannot be called in question before any court. These orders come into force on a date to be specified by the President of India in this behalf. The copies of its orders are laid before the House of the People and the State Legislative Assembly concerned, but no modifications are permissible therein by them.
 - The Delimitation Commission is appointed by the President of India and works in collaboration with the Election Commission of India.
 - **Composition (as per the Delimitation Act, 2002)**
 - **Supreme Court judge** (present or retired), as a Chairperson of the Commission
 - **Chief Election Commissioner** or an Election Commissioner nominated, by the Chief Election Commissioner as ex officio
 - **State Election Commissioner of concerned State** as ex officio (appointed by the Governor for states other than Meghalaya, Mizoram and Nagaland; **or a person nominated by the Governor** for Meghalaya, Mizoram and Nagaland).
 - The first delimitation exercise was carried out by the President (with the help of the Election Commission) in 1950-51.
 - The Delimitation Commission Act was enacted in 1952.
 - **Delimitation Commissions have been set up four times — 1952, 1963, 1973 and 2002 under the Acts of 1952, 1962, 1972 and 2002.**
 - There was no delimitation after the 1981 and 1991 Censuses.

35. Correct Option: (c)

Explanation:

- Statement 2 is incorrect: At present, the committee consists of 22 members (15 from Lok Sabha and 7 from Rajya Sabha).

Supplementary notes:

Public Account Committee

- **The Public Account Committee was set up first in 1921 under the provisions of the government of India Act of 1919 and has since been in existence.**
- **At present, the committee consists of 22 members (15 from Lok Sabha and 7 from Rajya Sabha).**
- The members are elected by the parliament every year from amongst its members according to the principle of proportional representation by means of single transferable vote. Thus all parties get due representation in it
- The chairman of the committee is appointed by the speaker from amongst its members. Until 1966-67, the chairman of the

committee belonged to the ruling party. However, since 1967 a convention has developed whereby **the chairman of the committee is selected invariably from the opposition.**

- The function of the committee is to examine the annual audit reports of the comptroller and auditor general of India.

36. Correct Option: (c)

Explanation:

- **Statement 2 is incorrect:** The speaker of Lok Sabha is the ex-officio President of all the Forums except the Parliamentary Forum on Population and Public Health.

Supplementary notes:

Parliamentary Forums

- Parliamentary Forums are established in order to provide a platform for interaction and discussion of critical issues with the ministers concerned.
- **The first Parliamentary Forum on Water Conservation and Management was constituted in the year 2005.** Subsequently, seven more Parliamentary Forums were constituted.
- **The speaker of Lok Sabha is the ex-officio President of all the Forums except the Parliamentary Forum on Population and Public Health wherein the Chairman of Rajya Sabha is the ex-officio President and the Speaker is the ex-officio Co-President.**
- The Deputy Chairman of Rajya Sabha, the Deputy Speaker of Lok Sabha, the concerned Ministers, and the Chairman of department-related Standing Committees are the ex-officio Vice-Presidents of the respective forums.
- **Each forum consists of not more than 31 members (excluding the President, Co-President, and Vice-President)**
- The duration of the office of members of the forum is co-terminus with their membership in the respective Houses. A member may also resign from the forum by writing to the speaker chairman.

37. Correct Option: (c)

Explanation:

- **Both statements are correct**

Supplementary notes:

Charged Expenditure

- The budget consists of two types of expenditure—the expenditure ‘charged’

upon the Consolidated Fund of India and the expenditure ‘made’ from the Consolidated Fund of India.

- **The charged expenditure is non-votable by the Parliament, that is, it can only be discussed by the Parliament, while the other type has to be voted by the Parliament.**
- The list of the **charged expenditure** is as follows:
 - Emoluments and allowances of the President and other expenditure relating to his office.
 - Salaries and allowances of the Chairman and the Deputy Chairman of the Rajya Sabha and the Speaker and the Deputy Speaker of the Lok Sabha.
 - Salaries, allowances and pensions of the judges of the Supreme Court.
 - Pensions of the judges of the high courts.
 - Salary, allowances and pension of the Comptroller and Auditor General of India.
 - Salaries, allowances and pension of the chairman and members of the Union Public Service Commission.
 - Administrative expenses of the Supreme Court, the office of the Comptroller and Auditor General of India and the Union Public Service Commission including the salaries, allowances and pensions of the persons serving in these offices.
 - The debt charges for which the Government of India is liable, including interest, sinking fund charges and redemption charges and other expenditure relating to the raising of loans and the service and redemption of debt.
 - Any sum required to satisfy any judgement, decree or award of any court or arbitral tribunal.
 - Any other expenditure declared by the Parliament to be so charged.

38. Correct Option: (b)

Explanation:

- **Statement 1 is incorrect:** It aims to facilitate meeting of urgent unforeseen expenditure **by the government, pending authorization from Parliament.**

Supplementary notes:

Contingency fund of India:

- It aims to facilitate meeting of urgent unforeseen expenditure **by the**

government, pending authorization from Parliament.

- The Constitution authorized the Parliament to establish a ‘Contingency Fund of India’, into which amounts determined by law are paid from time to time. Accordingly, the Parliament enacted the contingency fund of India Act in 1950.
- This fund is placed at the disposal of the president, and he can make advances out of it to meet unforeseen expenditure pending its authorization by the Parliament.
- Parliamentary approval for such unforeseen expenditure is obtained **ex-post-facto** and **an equivalent amount is drawn from consolidated fund of India to recoup the Contingency fund of India** after such an ex-post-facto approval.
- The fund is held by the **finance secretary on behalf of the President**.
- Like the **public account of India**, it is also operated by executive action.

39. Correct Option: (c)

Explanation:

- **Both statements are correct**

Supplementary notes:

Office of Profit

- Four broad principles have evolved for determining whether an office attracts the constitutional disqualification on the basis of Office of Profit:
 - Whether the government exercises control over appointment, removal, and performance of the functions of the office.
 - Whether the office has any remuneration attached to it.
 - Whether the body in which the office is held has government powers (releasing money, allotment of land, granting licenses etc.).
 - Whether the office enables the holder to influence by way of patronage.

40. Correct Option: (d)

Explanation:

- **Statement 1 is incorrect:** The Department of economic affairs is responsible for the preparation of the budget.
- **Statement 2 is incorrect:** Passing of a Finance bill completes the process of enactment of the budget.

- **Statement 3 is incorrect:** The Constitution refers to the budget as the ‘annual financial statement’. In other words, the term ‘budget’ has nowhere been used in the Constitution.

Supplementary notes:

Budget

- Parliament can reduce or abolish tax but **cannot increase it**.
- The **Department of economic affairs** is responsible for the preparation of the budget.
- **Passing of a Finance bill completes the process of enactment of the budget.** The Finance Bill is introduced to give effect to the financial proposals of the Government of India for the following year. It is subjected to all the conditions applicable to a Money Bill. Unlike the Appropriation Bill, the amendments (seeking to reject or reduce a tax) can be moved in the case of finance bill. According to the Provisional Collection of Taxes Act of 1931, the Finance Bill must be enacted (i.e., passed by the Parliament and assented to by the president) within 75 days. The Finance Act legalizes the income side of the budget and completes the process of the enactment of the budget.
- The **Constitution refers to the budget as the ‘annual financial statement’**. In other words, the term ‘budget’ has **nowhere been used in the Constitution**. It is the popular name for the ‘annual financial statement’ that has been dealt with in Article 112 of the Constitution.

41. Correct Option: (b)

Explanation:

- **Statement 1 is incorrect:** To apply such law, the other states have to pass a resolution in their Legislatures.

Supplementary notes:

Article 252

- If the Legislatures of two or more States pass a resolution to the effect that it is desirable to have a Law passed by Parliament on any matters in State List common to these States, Parliament can make Laws in that respect.
- **Any Act so passed shall apply to such States automatically. For other state, it will be applied only if a resolution is passed by Legislature of that State.**
- **Such a law can be amended or repealed only by the Parliament and not by the legislatures of the concerned states.**

- The effect of passing a resolution under the above provision is that the Parliament becomes entitled to legislate with respect a matter for which it has no power to make a law. On the other hand, the state legislature ceases to have the power to make a law with respect to that matter.

42. Correct Option: (a)

Explanation:

- Option (a) is correct

Supplementary notes:

Misuse of Article-356

- Article 356 has become one of the most controversial and most criticized provision of the Constitution because it has been misused by the Centre to arm-twist the states as per their whims and fancies
- There were reservations among the members of Constituent Assembly when this article was being incorporated. Dr. B R Ambedkar, while replying to the critics of this provision, hoped that the drastic power conferred by Article 356 would remain a 'dead-letter' and would be used only as a measure of last resort.
- However, the events in post-independent India show that what was hoped to be a 'dead letter' of the Constitution has turned to be a 'deadly-weapon' against a number of state governments and legislative assemblies.
- In S. R. Bommai vs Union of India (1994) case, SC put an end to the arbitrary dismissal of State Governments under the article 356 by spelling out restrictions. It held that political whim or fancy cannot form the basis for the President to proclaim central rule in a State.
- SC in SR Bommai case held that use of A-356 would be proper if there is internal subversion or physical breakdown in a state or where a constitutional direction of the Central government is disregarded by the state government.
- It also held that State legislative assembly cannot be dissolved merely upon the issue of Presidential proclamation and before Parliamentary approval is accorded.
- The Supreme Court in Bommai case (1994) also enlisted the situations where the exercise of power under Article 356 could be improper. These are:
 - Where a ministry resigns or is dismissed on losing majority support in the assembly and the governor recommends imposition of President's Rule without probing the possibility of forming an alternative ministry.

- Where the governor makes his own assessment of the support of a ministry in the assembly and recommends imposition of President's Rule without allowing the ministry to prove its majority on the floor of the Assembly.
- Where the ruling party enjoying majority support in the assembly has suffered a massive defeat in the general elections to the Lok Sabha.
- Internal disturbances not amounting to internal subversion or physical breakdown.
- Maladministration in the state or allegations of corruption against the ministry or stringent financial exigencies of the state.
- Where the state government is not given prior warning to rectify itself except in case of extreme urgency leading to disastrous consequences.
- Where the power is used to sort out intra-party problems of the ruling party, or for a purpose extraneous or irrelevant to the one for which it has been conferred by the Constitution.

43. Correct Option: (b)

Explanation

- Statement 1 is incorrect:** Article 262 mandates that the Parliament may by law provide tribunals for the adjudication of any such disputes

Supplementary notes:

Inter-State water disputes

- The Constitution does not provide for the formation of special tribunals for the adjudication of inter-state water disputes. Rather Article 262 of the Constitution provides for the adjudication of inter-state water disputes. It makes two provisions:
 - Parliament may by law provide for the adjudication of any dispute or complaint with respect to the use, distribution and control of waters of any inter-state river and river valley.
 - Parliament may also provide that neither the Supreme Court nor any other court is to exercise jurisdiction in respect of any such dispute or complaint.
- Under this provision, the Parliament has enacted two laws i.e. the River Boards Act (1956) and the Inter-State Water Disputes Act (1956).

- The Inter-State Water Disputes Act empowers the Central government to set up an ad hoc tribunal for the adjudication of a dispute between two or more states in relation to the waters of an inter-state river or river valley.
- The decision of the tribunal would be final and binding on the parties to the dispute. Neither the Supreme Court nor any other court is to have jurisdiction in respect of any water dispute which may be referred to such a tribunal under this Act.

44. Correct Option: (c)

Explanation:

- **Both statements are correct**

Supplementary notes:

Co-operative federalism

- In a vast country like ours, the spirit of co-operative federalism should guide the relations between the Centre and the States on the one hand, among different States and between the States and the Panchayati Raj Institutions (PRIs) and the Urban Local Bodies (ULBs) on the other. **The essence of co-operative federalism is that the Centre and the State Governments should be guided by the broader national concerns of using the available resources for the benefit of the people.**
- Co-operative federalism encourages the Government at different levels to take advantage of a large national market, diverse and rich natural resources and the potential of human capabilities in all parts of the country and from all sections of the society for building a prosperous nation.
- Co-operative federalism makes it possible to raise all the available resources by the Government at different levels in a co-ordinated way and channel them for use for the common good of the people. This requires a harmonious relationship and co-operative spirit between the Centre and the States and among the States themselves. While a healthy competition among the States for evolving efficient and socially desirable policies and programmes is welcome, any competition which nullifies each other's advantages in development and erodes the resource base of the States should be avoided. **Co-operative federalism is intended to ensure a minimum bundle of basic services and a nationally acceptable level of living for all the people of the country.**

45. Correct Option: (c)

Explanation:

- **Statement 2 is incorrect:** The Constitution of India does not include any provision for the categorization of any state in India as a 'special category state.'

Supplementary notes:

Issues in Centre-State Fund Devolution

- **Special Category Status for plan assistance was granted by the former Planning Commission body called the National Development Council to the States.**
- The categorization was characterized by a number of features like (i) hilly terrain (ii) low population density and/or sizeable share of tribal population (iii) strategic location along borders (iv) economic and infrastructural backwardness and (v) non-viable nature of state finances.
- This provision was removed by the centre after implementing the recommendations of the 14th Finance commission and with replacement of planning commission by NITI Aayog. NITI Aayog has no power to allocate funds to the states.
- Henceforth "special status" was restricted only to the north-eastern and three hilly states namely Himachal Pradesh, Uttarakhand and former Jammu and Kashmir State.
- **In these special category status category states, centre provides 90 per cent of the funds required in a centrally-sponsored scheme as against 60 per cent in case of normal category states.**
- All this vertical division of money between centre and states and among states comes from the divisible pool of Central taxes, whose division is done on the basis of recommendations of the finance commission.
- However, there is material shrinkage in the relative size of this central divisible pool because of central government increasingly opting for use of surcharges and cesses as seen in the recent imposition of agriculture cess on petrol and diesel in budget session.
- **Proceeds from cesses are excluded from the central divisible pool, which eventually crunches on the resources which are to be shared with the states in proportion.**

46. Correct Option: (b)

Explanation:

- **Statement 1 is incorrect:** The Zonal Councils are the statutory (and not the constitutional) bodies.

Supplementary notes:

Zonal Councils

- **The Zonal Councils are the statutory (and not the constitutional) bodies.** They are established by an Act of the Parliament, that is, States Reorganisation Act of 1956. The act divided the country into five zones (Northern, Central, Eastern, Western and Southern) and provided a zonal council for each zone.
- Each zonal council consists of the following members:
 - Minister of Central government.
 - Chief Ministers of all the States in the zone.
 - Two other ministers from each state in the zone.
 - Administrator of each union territory in the zone.
- **The Home Minister of Central government is the common Chairman of the five zonal councils. Each Chief Minister acts as a vice-chairman of the council by rotation, holding office for a period of one year at a time.**
- **The Zonal Councils aim at promoting cooperation and coordination between states, union territories and the Centre.**
- They discuss and make recommendations regarding matters like economic and social planning, linguistic minorities, border disputes, inter-state transport, and so on.
- They are only deliberative and advisory bodies.
- The objectives (or the functions) of the zonal councils, in detail, are as follows:
 - To achieve an emotional integration of the country.
 - To help in arresting the growth of acute state-consciousness, regionalism, linguism and particularistic trends.
 - To help in removing the after-effects of separation in some cases so that the process of reorganisation, integration and economic advancement may synchronise.
 - To enable the Centre and states to cooperate with each other in social and

economic matters and exchange ideas and experience in order to evolve uniform policies.

- To cooperate with each other in the successful and speedy execution of major development projects.
- To secure some kind of political equilibrium between different regions of the country.

47. Correct Option: (c)

Explanation:

- **Statement 4 is incorrect: Fundamental rights can become meaningless not the fundamental duties.**

Supplementary notes:

Emergency provision

- The emergency provisions are contained in **Part XVIII** of the Constitution of India, from **Article 352 to 360**. These provisions enable the Central government to meet any abnormal situation effectively.
- The rationality behind the incorporation is to safeguard the sovereignty, unity, integrity and security of the country, the democratic political system and the Constitution.
- The Constitution stipulates three types of emergencies:
 - National Emergency
 - Constitutional Emergency
 - Financial Emergency
- Emergency Provisions were criticized on certain grounds as follows:
 - **The federal character** of the constitution will be destroyed and the union will become all-powerful
 - The powers of the State- both the Union and the Units- will entirely be concentrated in the hands of the union executive.
 - **The president will become a dictator**
 - **The financial autonomy of the state** will be nullified
 - **Fundamental rights will become meaningless and, as a result, the democratic foundation of the constitution** will be destroyed.’

48. Correct Option: (b)

Explanation:

- **Statement 1 is incorrect:** The 38th Amendment Act of 1975 made the

declaration of National Emergency immune to judicial review. But, this provision was subsequently deleted by the 44th Amendment Act of 1978.

Supplementary notes:

42nd and 44th Amendments w.r.t. National Emergency

- The 42nd Constitutional Amendment Act made the following changes w.r.t. emergency provisions:
 - Facilitated the proclamation of national emergency in a part of territory of India
 - Extended the one-time duration of the President's rule in a state from 6 months to one year
- To undo several changes that had been made to the Constitution by the 42nd Amendment which had been enacted by the Indira Gandhi-led Indian National Congress during the Emergency, the 44th Constitutional Amendment Act was passed. It introduced various safeguards against the use of emergency provisions. These are:
 - Replaced the term 'internal disturbance' by 'armed rebellion' in respect of national emergency
 - **Made the President to declare a national emergency only on the written recommendation of the cabinet**
 - **Reversed 38th Amendment Act which made the declaration of National Emergency immune to judicial review**
 - Procedural safeguards with respect to national emergency like Approval of National Emergency within 1 month and by a special majority; Periodical parliamentary approval after every six months; Revocation of proclamation by President if Lok Sabha passes a resolution etc.
 - Provided that the fundamental rights guaranteed by Articles 20 and 21 cannot be suspended during a national emergency

49. Correct Option: (a)

Explanation:

- **Statement 2 is incorrect:** Punchhi Commission recommended a framework for "localized emergency" to let the Central Government respond to the issue specifically without dissolving the state assembly.

Supplementary notes:

Emergency: Key SC Judgements and Commissions

- In **ADM Jabalpur v. Shivakant Shukla** (1976), a Constitution Bench by a majority of 4:1, ruled that while a proclamation of emergency is in operation, the right to move High Courts under Article 226 for Habeas Corpus challenging illegal detention by State will stand suspended. The apex Court said "If extraordinary powers are given, they are given because the Emergency is extraordinary, and are limited to the period of the Emergency." However, in **Justice K.S. Puttaswamy vs Union of India** (2017), the apex Court overruled the majority view expressed in ADM Jabalpur v. Shivakant Shukla (1976).
- In the **Minerva Mills case**, (1980), the Supreme Court held that the proclamation of a national emergency can be challenged in a court on the ground of malafide or that the declaration was based on wholly extraneous and irrelevant facts or is absurd or perverse.
- Based on the report of the **Sarkaria Commission** on Centre-state Relations (1988), the Supreme Court in **Bommai case** (1994) enlisted the situations where the exercise of power under Article 356 could be proper. These include: Internal subversion or physical breakdown in a state; Disregard of a constitutional direction of centre by a state under A-365; If Government formation is not possible due to hung assembly, refusal by majority party or fall of the majority Government in a state.
- **Punchhi Commission** recommended that provisions under Articles 352 and 356 to be used only as a measure of "last resort", and for performance of the duty by Union to protect states under Article 355, it is necessary to provide a Constitutional or legal framework to deal with situations which require Central intervention but do not warrant invoking the extreme steps under Articles 352 and 356. Providing the framework for "localized emergency" would ensure that the state government can continue to function and the Assembly would not have to be dissolved while providing a mechanism to let the Central Government respond to the issue specifically and locally.

50. Correct Option: (a)

Explanation:

- **Statement 2 is incorrect:** The laws made by Parliament on the state subjects during a National Emergency become inoperative six months after the emergency has ceased to operate.
- **Statement 3 is incorrect:** While a proclamation of national emergency is in operation, the President can modify the constitutional distribution of revenues between the centre and the states.

Supplementary notes:

Impact of National Emergency

- During a national emergency, the executive power of the Centre extends to directing any state regarding the manner in which its executive power is to be exercised. In normal times, the Centre can give executive directions to a state only on certain specified matters. However, during a national emergency, the Centre becomes entitled to give executive directions to a state on 'any' matter. Thus, the state governments are brought under the complete control of the Centre, though they are not suspended.
- During a national emergency, the Parliament becomes empowered to make laws on any subject mentioned in the State List. Although the legislative power of a state legislature is not suspended, it becomes subject to the overriding power of the Parliament. Thus, the normal distribution of the legislative powers between the Centre and states is suspended, though the state legislatures are not suspended. In brief, the Constitution becomes unitary rather than federal.
- The laws made by Parliament on the state subjects during a National Emergency become inoperative six months after the emergency has ceased to operate.
- While a proclamation of national emergency is in operation, the President can issue ordinances on the state subjects also, if the Parliament is not in session.
- While a proclamation of national emergency is in operation, the President can modify the constitutional distribution of revenues between the centre and the states. This means that the president can either reduce or cancel the transfer of finances from Centre to the states.
- Such modification continues till the end of the financial year in which the Emergency

ceases to operate. Also, every such order of the President has to be laid before both the Houses of Parliament.

51. Correct Option: (d)

Explanation:

- **All statements are correct**

Supplementary notes:

Integrated judicial system

- The Judicial System in India is an integrated judicial system.
- It is apparent that the decisions made by any higher courts are binding on all the lower courts.
- Another way to prove the concept of this judicial integration is through the appellate system which means that a person can appeal to a higher court if he/she believes that the judgment passed by the lower court is not just.
- **In the Tirupati Balaji Developers (P) Ltd v. State of Bihar**, Supreme Court clarified that the High Court is not a court "subordinate" to the Supreme Court. Power of superintendence is only granted to High Courts (over subordinate courts) and not to the Supreme Court.

52. Correct Option: (b)

Explanation:

- **Statement 2 is incorrect:** President does not have any powers in the Enlargement of the jurisdiction of the Supreme Court.

Supplementary notes:

Enlargement of the jurisdiction of the Supreme Court: Article 138

- Parliament may enlarge the jurisdiction and power of Supreme Court.
- The Supreme Court shall have such further jurisdiction and powers with respect to any of the matters in the Union List as Parliament may by law confer.
- Its jurisdiction and power with respect to other matters can be enlarged by special agreement between union and states.

53. Correct Option: (c)

Explanation:

- **Statement 2 is incorrect:** Chief Justice of India is placed at an equal position with Speaker of Lok Sabha in the table of precedence.

Supplementary notes:

Chief Justice of India

- The Chief Justice of India is appointed by the president of India as per the powers conferred by clause (2) of Article 124 of the Constitution of India.
- However, as per the decision of Second Judges Case (1993), only the senior-most judge of the Supreme Court is appointed to the office of the chief justice of India.
- The Constitution of India declared Delhi as the seat of the Supreme Court. However, it also authorized the chief justice of India to appoint other place or places as the seat of the Supreme Court with the approval of the President.**
- The Chief Justice of India is empowered to appoint officers and servants of the Supreme Court without any interference from the executive. He is also empowered to prescribe their conditions of service.
- The transfer of judges of Indian High courts by the President of India can be done only after consulting the Chief Justice of India.
- As per the Third Judges case (1998), in case of the transfer of high court judges, the Chief Justice of India should consult, in addition to the collegium of four seniormost judges of the Supreme Court, the chief justice of the two high courts including one from which the judge is being transferred and the other receiving him.
- In the Table of Precedence related to the rank and order of the officials of the Union and State Governments, Chief Justice of India is placed equally with the Speaker of Lok Sabha at 6th place, below President, Vice-President, Prime Minister, Governors of states within their respective states, Former presidents and Deputy Prime Minister.

54. Correct Option: (c)

Explanation:

- Statement 3 is incorrect:** The committee should consist of (a) the chief justice or a judge of the Supreme Court, (b) a chief justice of a high court, and (c) a distinguished jurist.

Supplementary notes:

Removal of judges

- A judge can be removed only by an order of the President, based on a motion passed by both Houses of Parliament.**
- A judge can be removed from office through a motion adopted by Parliament on grounds of proved misbehaviour or incapacity.

- The Judges Enquiry Act (1968) regulates the procedure relating to the removal of a judge of the Supreme Court by the process of impeachment:
- A removal motion signed by 100 members (in the case of Lok Sabha) or 50 members (in the case of Rajya Sabha) is to be given to the Speaker/ Chairman.
- The Speaker/Chairman may admit the motion or refuse to admit it.**
- If it is admitted, then the Speaker/ Chairman are to constitute a three-member committee to investigate into the charges.
- The committee should consist of (a) the chief justice or a judge of the Supreme Court, (b) a chief justice of a high court, and (c) a distinguished jurist.
- If the committee finds the judge to be guilty of misbehaviour or suffering from incapacity, the House can take up the consideration of the motion.
- After the motion is passed by each House of Parliament by special majority, an address is presented to the president for removal of the judge.**
- Finally, the President passes an order removing the judge.**

55. Correct Option: (b)

Explanation:

- Statement 1 is incorrect:** There are no written rules on the recusal of judges. It is left to the discretion of a judge. If a judge does not recuse himself, he is not liable legally. It cannot be a basis of his removal.

Supplementary notes:

Recusal of Judges

- Recusal is the removal of oneself as a judge or policymaker in a particular matter, especially because of a conflict of interest.
- Recusal usually takes place when a judge has a conflict of interest or **has a prior association with the parties in the case.**
- Grounds for Recusal**
 - The judge is biased in favour of one party, or against another, or that a reasonable objective observer would think he might be.
 - Interest in the subject matter, or relationship with someone who is interested in it.
 - Background or experience, such as the judge's prior work as a lawyer.

- Personal knowledge about the parties or the facts of the case.
 - Ex parte communications with lawyers or non-lawyers.
 - Rulings, comments or conduct.
 - In India there is no statute laying down the minimum procedure which Judges must follow in order to ensure the impartiality. It is left to the discretion of a judge. If a judge does not recuse himself, he is not liable legally. It cannot be a basis of his removal.
 - A litigant cannot seek recusal of the Judge during a hearing, a Supreme Court Bench led by the former Chief Justice of India, Ranjan Gogoi had clarified.
 - However, courts have always insisted that Judges and other adjudicatory authorities must ensure that they have to ensure principles of impartiality.
- A dispute arising out of any pre-Constitution treaty, agreement, covenant, engagement, or other similar instrument.
 - A dispute arising out of any treaty, agreement, etc., which specifically provides that the said jurisdiction does not extend to such a dispute.
 - **Inter-state water disputes.**
 - Matters referred to the Finance Commission.
 - **Adjustment of certain expenses and pensions between the Centre and the states.**
 - Ordinary dispute of Commercial nature between the Centre and the states.
 - Recovery of damages by a state against the Centre.

56. Correct Option: (b)

Explanation:

- **Option (b) is correct**

Supplementary notes:

Original jurisdiction of the Supreme Court

- The Supreme Court has original, appellate and advisory jurisdiction.
- Its **exclusive original jurisdiction extends to any dispute between the Government of India and one or more States** or between the Government of India and any State or States on one side and one or more States on the other or between two or more States, if and insofar as the dispute involves any question (whether of law or of fact) on which the existence or extent of a legal right depends.
- In addition, Article 32 of the Constitution gives an **extensive original jurisdiction** to the Supreme Court in regard to enforcement of **Fundamental Rights**. It is empowered to issue directions, orders or writs, including writs in the nature of habeas corpus, mandamus, prohibition, quo warranto and certiorari to enforce them.
- In federal disputes, the Supreme Court has exclusive original jurisdiction. Exclusive means, no other court can decide such disputes and original means, the power to hear such disputes in the first instance, not by way of appeal.
- Original jurisdiction of the Supreme Court **does not extend to:**

57. Correct Option: (d)

Explanation

- **All statements are correct**

Supplementary notes:

Original Jurisdiction of High Court

- Original Jurisdiction means the power of a high court to hear disputes in the first instance, not by way of appeal. It extends to the following:
 - Matters of admiralty, will, marriage, divorce, company laws and contempt of court.
 - Disputes relating to the election of members of Parliament and state legislatures.
 - Regarding revenue matter or an act ordered or done in revenue collection.
 - Enforcement of fundamental rights of citizens.
 - Cases ordered to be transferred from a subordinate court involving the interpretation of the Constitution to its own file.

58. Correct Option: (d)

Explanation:

- **Both statements are correct**

Supplementary notes:

Transfer of Judges of High Court

- The President can transfer a judge from one high court to another after consulting the Chief Justice of India.

- When a Judge has been or is so transferred, he is entitled to receive in addition to his salary such compensatory allowance as may be determined by Parliament by law and, until so determined, such compensatory allowance as the President may by order fix.
- In 1977, the Supreme Court ruled that the transfer of high court judges could be resorted to only as an exceptional measure and only in public interest and not by way of punishment. Again in 1994, the Supreme Court held that judicial review is necessary to check arbitrariness in transfer of judges. But, only the judge who is transferred can challenge it.
- In the Third Judges case** (1998), the Supreme Court opined that in case of the transfer of high court judges, the Chief Justice of India should consult, in addition to the collegium of four seniormost judges of the Supreme Court, the chief justice of the two high courts (one from which the judge is being transferred and the other receiving him). Thus, the sole opinion of the chief justice of India does not constitute the 'consultation' process

59. Correct Option: (d)

Explanation:

- All statements are correct

Supplementary notes:

Appeal by Special Leave

- Under Article 136, the Constitution of India gives power to the Supreme Court to grant special permission or leave to an aggrieved party to appeal against an order passed in any of the lower courts or tribunals in India.
- Special leave petition (SLP) means that an individual takes special permission to be heard in appeal against any high court/tribunal verdict. Thus it is not an appeal but a petition filed for an appeal. So after an SLP is filed, the Supreme Court may hear the matter and if it deems fit, it may grant the 'leave' and convert that petition into an 'appeal'. **SLP shall then become an Appeal and the Court will hear the matter and pass a judgment.**
- It can be filed against any judgment or decree or order of any high court / tribunal in the territory of India, or, it can be filed in case a high court refuses to grant the certificate of fitness for appeal to Supreme Court of India.**

- It can be filed against any judgment of a High Court within 90 days from the date of judgment, or It can be filed within 60 days against the order of a High Court refusing to grant the certificate of fitness for appeal to the Supreme Court, whereas, the other Appellate Jurisdiction is if the high court certifies that the case needs to be decided by the Supreme Court.
- It can be granted in any judgment whether final or interlocutory whereas, the normal Appellate Jurisdiction is enjoyed only after the final judgment by the High Court.
- It is a discretionary power of the Court and hence, cannot be claimed as a matter of right**, unlike the normal Appellate Jurisdiction.

60. Correct Option: (b)

Explanation

- Statement 1 is incorrect:** It must confirm a death sentence awarded by a subordinate court whether there is an appeal by the convicted person or not.

Supplementary notes:

High Court

- A death sentence (capital punishment) awarded by a sessions court or an additional sessions court must be confirmed by the High Court before it can be executed, whether there is an appeal by the convicted person or not.
- As a court of record, a High Court also has the power to review and correct its own judgment or order or decision.

61. Correct Option: (c)

Explanation:

- Statement 3 is incorrect:** Salaries and allowances of the judges of the High Court are charged on the Consolidated Fund of State but the pension is charged on the Consolidated Fund of India.

Supplementary notes:

Supreme Court and High Court

- Salaries and allowances of the judges of the high court are charged on the **Consolidated Fund of state and pension is charged on the Consolidated Fund of India**.
- Number of judges in the **Supreme Court** can be increased by the **Parliament** whereas number of judges in the **High**

Court can be increased by the President. The Constitution does not specify the strength of a high court and leaves it to the discretion of the president.

- Impeachment process of judge of the Supreme Court and High court is same.
- Salaries, allowances, pensions and leaves of the judges of the Supreme Court and high court are determined by the Parliament.
- A remedy under Article 32 is in itself a Fundamental Right and hence, the Supreme Court may not refuse to exercise its writ jurisdiction. On the other hand, a remedy under Article 226 is discretionary and hence, a high court may refuse to exercise its writ jurisdiction.

62. Correct Option: (c)

Explanation:

- Option (c) is correct

Supplementary notes:

Appointment of District Judges

- The appointment, posting and promotion of district judges in a state are made by the governor of the state in consultation with the Chief Justice of the high court.
- A person to be appointed as district judge should have the following qualifications:
 - He should not already be in the service of the Central or the state government.
 - He should have been an advocate or a pleader for seven years at bar.
 - He should be recommended by the Chief Justice of high court for appointment.
- District judges are also appointed by way of elevation of judges from courts subordinate to district courts provided they fulfil the minimum years of service.
- The district judge is the highest judicial authority in the district. He possesses original and appellate jurisdiction in both civil as well as criminal matters.

63. Correct Option: (a)

Explanation:

- Statement 2 is incorrect: The District Judge has power to impose any sentences including life imprisonment and capital punishment.

Supplementary notes:

District Judge

- The District judge is the highest Authority in the District. He possesses original and appellate jurisdiction in both civil as well as criminal matters.
- The district Judge has supervisory power over all the subordinate courts in the district. Appeals against his order and judgments lie to the High Court.
- The Judge has power to impose any sentences including life imprisonment and capital punishment. However, a capital Punishment passed by him is subject to confirmation by the high court, whether there is an appeal or not.

64. Correct Option: (d)

Explanation:

- All statements are correct

Supplementary notes:

Judicial Review

- Article 31B saves the acts and regulations included in the Ninth Schedule from being challenged and invalidated on the ground of contravention of any of the Fundamental Rights. But, in the I.R. Coelho case (2007), the Supreme Court ruled that there could not be any blanket immunity from judicial review of laws included in the Ninth Schedule. Thus, Judiciary can review any Law made by the Legislature. All the laws, order, bye-laws, ordinance and constitutional amendments and all other notifications are subject to judicial review which are included in Article 13(3) of the constitution of India.
- Article 137 gives a special power to the SC to review any judgment pronounced or order made by it. Thus, it is not bound by its previous decision and can depart from it in the interest of justice or community welfare.
- In the Minerva Mills V. Union of India 1980 case, Judicial Review was added to the list of Basic Structure of the Constitution along with the balance between Fundamental Rights and Directive Principles.

65. Correct Option: (a)

Explanation:

- Statement 2 is incorrect: Courts can also take suo moto cognizance of the matter.

Supplementary notes:

Public Interest Litigation (PIL)

- Although the proceedings in the Supreme Court arise out of the judgments or orders made by the Subordinate Courts including the High Courts, but of late the Supreme Court has started entertaining matters in which interest of the public at large is involved and **the Court can be moved by any individual or group of persons either by filing a Writ Petition at the Filing Counter of the Court or by addressing a letter to the Hon'ble, Chief Justice of India highlighting the question of public importance for invoking this jurisdiction.**
- Such concept is popularly known as 'Public Interest Litigation' and several matters of public importance have become landmark cases.
- This concept is unique to the Supreme Court of India only and perhaps no other Court in the world has been exercising this extraordinary jurisdiction.
- A Writ Petition filed at the Filing Counter is dealt with like any other Writ Petition and processed as such.
- In case of a letter addressed to Hon'ble the Chief Justice of India the same is dealt with in accordance with the guidelines framed for the purpose.
- The introduction of PIL in India was facilitated by the **relaxation of the traditional rule of 'locus standi'**. According to this rule, only that person whose rights are infringed alone can move the court for the remedies, whereas, the PIL is an exception to this traditional rule. In PIL, any member of the public having 'sufficient interest' can approach the court for enforcing the rights of other persons and redressal of a common grievance.
- The judiciary, including Supreme Court, entertained litigation from those parties that were affected directly or indirectly by it. It means that even people, who are not directly involved in the case, may bring to the notice of the Court matters of public interest. **Courts can also take suo moto cognizance** of the matter.

66. Correct Option: (a)

Explanation:

- **Statement 3 is incorrect:** In civil matters also the Court can appoint an Advocate as amicus curiae.

Supplementary notes:

Amicus Curiae

- If a petition is received from the jail or in any other criminal matter if the accused is unrepresented then an Advocate is appointed as amicus curiae by the Court to defend and argue the case of the accused.
- In civil matters also the Court can appoint an Advocate as amicus curiae if it thinks it necessary in case of an unrepresented party
- The Court can also appoint amicus curiae in any matter of general public importance or in which the interest of the public at large is involved.

67. Correct Option: (a)

Explanation:

- **Statement 2 is incorrect:** A Tribunal shall have, and exercise, the same jurisdiction, powers and authority in respect of contempt of itself as a High Court has and may exercise and, for this purpose, the provisions of the Contempt of Courts Act, 1971.
- **Statement 3 is incorrect:** Presently there is no NTC in India.

Supplementary notes:

Tribunals

- Tribunal is an administrative body responsible for discharging quasi-judicial duties and thus, it is neither a Court nor an executive body.
- Delays and backlogs in the administration of justice were the primary reason for the establishment of tribunals.
- They can adjudicate over a wide range of subjects and is an effective mechanism to ameliorate the burden of the judiciary, particularly in cases of technical nature which require persons having expert knowledge of the working of these laws.
- The Tribunals emerged not with the sole promise of speedy, effective, decentralized dispensation of justice but also the expertise and knowledge in specialized areas that was felt to be lacking in the judges of traditional Courts.
- **A Tribunal shall not be bound by the procedure laid down in the Code of Civil Procedure, but shall be guided by the principles of natural justice** and subject to the other provisions of this Act and of any rules made by the Central Government, the Tribunal shall have power to regulate its own procedure including

- the fixing of places and times of its inquiry and decided whether to sit in public or in private.
- The first Tribunal in India was established in the form of Income-Tax Appellate Tribunal in 1941. The Constitution (Forty-Second Amendment) Act of 1976 inserted Articles 323-A and 323-B in the Constitution of India, providing for the establishment of Administrative Tribunals by the Parliament as well as the State Legislatures, to adjudicate the matters specified in the sub-clauses.
 - Issues with Tribunals in India:
 - Lack of Independence because of the system of appointment through selection committees and the issues of reappointment and the convention to appoint retired judges.
 - Non-uniformity across tribunals with respect to service conditions, tenure of members, varying nodal ministries in charge of different tribunals leading to mal-administration in tribunals.
 - Executive interference like in provision of finances, infrastructure, personnel and other resources
 - The idea of an NTC was first mooted by the Supreme Court in *L. Chandra Kumar v. Union of India* (1997). **Presently there is no NTC in India.**
- 68. Correct Option: (b)**
- Explanation**
- Statement 4 is incorrect:** After the Supreme Court's decision in *L. Chandra Kumar's case* 1997, the orders of CAT are now being challenged by way of Writ Petition before respective High Court in whose territorial jurisdiction the Bench of the Tribunal is situated.
- Supplementary notes:**
- Central Administrative Tribunals**
- In accordance with the recommendations of the Swaran Singh Committee, Part XIV-A titled as 'Tribunals' was added in the Constitution (Forty-second Amendment) Act, 1976, which entailed the formation of 'Administrative Tribunals' under Article 323-A and 'Tribunals for other matters' under Article 323-B.
 - The Central Administrative Tribunal had been established under Article 323 - A of the Constitution for adjudication of disputes and complaints with respect to recruitment and conditions of service of persons appointed to public services and posts in connection with the affairs of the Union or other authorities under the control of the Government.
 - There are 17 Benches and 21 Circuit Benches in the Central Administrative Tribunal all over India. In addition to the Ministries and Departments of Central Government, the Government of India has notified about 214 organizations under section 14 (2) of the Administrative Tribunals Act, 1985 to bring them within the jurisdiction of the Central Administrative Tribunal, from time to time. In addition the Central Administrative Tribunal, Principal Bench is dealing with the matters of Government of National Capital Territory of Delhi.
 - The Central Administrative Tribunal is headed by Hon'ble Chairman Sh. Justice L. Narasimha Reddy, former Chief Justice of High Court of Patna. The Tribunal is guided by the principles of natural justice in deciding cases and is not bound by the procedure, prescribed by the Civil Procedure Code.
 - The Central Administrative Tribunal is empowered to frame its own rules of procedure and practice.** Under the said provision of the Act, the Central Administrative Tribunal (Procedure) Rules, 1987 and Central Administrative Tribunal Rules of Practice, 1993 have been notified to ensure smooth functioning of the Tribunal.
 - Initially the decision of the Tribunal could be challenged before Hon'ble Supreme Court by filing Special Leave Petition. However, after the Supreme Court's decision in *L. Chandra Kumar's case* 1997, the orders of Central Administrative Tribunal are now being challenged by way of Writ Petition under Article 226/227 of the Constitution before respective High Court in whose territorial jurisdiction the Bench of the Tribunal is situated.**
 - By the Seven-Judge Bench of the Supreme Court in the *L. Chandra Kumar's case*, it was held that **it is the part of the basic structure of the Constitution that the High Courts have power to exercise judicial supervision and charge over the decisions of all Courts and Tribunals.** The Court was also of the opinion that for efficient working of the Tribunals it is necessary that an independent single nodal ministry can also be set up which shall oversee the conduct of the Tribunals
- 69. Correct Option: (d)**
- Explanation**
- All statements are correct**

Supplementary notes:

National Legal Services Authority (NALSA)

- Towards fulfilling the Preambular promise of securing to all the citizens, Justice – social, economic and political, Article 39 A of the Constitution of India provides for free legal aid to the poor and weaker sections of the society, to promote justice on the basis of equal opportunity. Articles 14 and 22(1) of the Constitution also make it obligatory for the State to ensure equality before law.
- The principal objective of NALSA is to provide free and competent legal services to the weaker sections of the society and to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities, and to organize Lok Adalats for amicable settlement of disputes. Apart from the above mentioned, functions of NALSA include spreading legal literacy and awareness, undertaking social justice litigations etc.
- The National Legal Services Authority (NALSA) has been constituted under the Legal Services Authorities Act, 1987 to provide free Legal Services to the weaker sections of the society. **The Chief Justice of India is the Patron-in-Chief and the Senior most Hon'ble Judge, Supreme Court of India is the Executive Chairman of the Authority.**
- In every State, State Legal Services Authority has been constituted to give effect to the policies and directions of the NALSA and to give free legal services to the people and conduct Lok Adalats in the State. The State Legal Services Authority is headed by Hon'ble the Chief Justice of the respective High Court who is the Patron-in-Chief of the State Legal Services Authority.
- In every District, District Legal Services Authority has been constituted to implement Legal Services Programmes in the District. The District Legal Services Authority is situated in the District Courts Complex in every District and chaired by the District Judge of the respective district.

Free Legal Services

- Payment of court fee, process fees and all other charges payable or incurred in connection with any legal proceedings.
- Providing Advocate in legal proceedings.
- Obtaining and supply of certified copies of orders and other documents in legal proceedings.

- Preparation of appeal, paper book including printing and translation of documents in legal proceedings etc.
- Prelitigation settlement by mediation/ conciliation etc.

Eligible Persons for getting Free Legal Services

- Women and children.
- Members of SC/ST.
- Industrial Workmen.
- Victims of trafficking in human beings or beggars.
- Victims of mass disaster, violence, flood, drought, earthquake, industrial disaster etc.
- Disabled persons.
- Persons in custody.
- **Persons whose annual income does not exceed Rs.1,00,000/-.**

70. Correct Option: (a)

Explanation:

- **Statement 2 is incorrect:** It deals in matters related to both civil and criminal cases.
- **Statement 3 is incorrect:** When no compromise is reached, the matter goes back to the court.

Supplementary notes:

Lok Adalats

- Lok Adalat is a forum where the disputes/ cases pending in the court of law or at pre-litigation stage are settled/compromised amicably. Lok Adalat has been given statutory status under the Legal Services Authorities Act, 1987.
- **An award made by the Lok Adalat is deemed to be decree of a civil court and is final and binding on all parties and no appeal lies before any court against it.**
- It deals in matters related to **both civil and criminal cases.**
- There is no court fee. If the case is already filed in the regular court, the fee paid will be refunded if the dispute is settled at the Lok Adalat.
- Lok Adalats (people's courts) settle dispute through conciliation and compromise.
- **The main thrust of Lok Adalats is on compromise. When no compromise is**

reached, the matter goes back to the court. While conducting the proceedings; Lok Adalat acts as a conciliator and not as an arbitrator.

71. Correct Option: (d)

Explanation

- **Statement 1 is incorrect:** Law Commission of India (LCI) is neither a constitutional nor a statutory body.
- **Statement 3 is incorrect:** LCI submits its report to Ministry of Law and Justice.

Supplementary notes:

Law Commission of India (LCI)

- **Law Commission of India (LCI) is neither a constitutional nor a statutory body.** The first LCI was established in 1834 under the Charter Act of 1833 under the Chairmanship of Lord Macaulay which recommended codification of the Penal Code, the Criminal Procedure Code and a few other matters.
- **The first Law Commission of independent India was established in 1955 for a three year term.** The term of this Commission was established as three years (which by convention has been followed till date).
- **LCI submits its report to Ministry of Law and Justice.**
- Law Commission of India is established by an order of central government. **Who will head the law commission is completely at the discretion of the Government.** However, it is a convention that a retired judge of Supreme Court heads India's Law Commission. Further, the States also can constitute their own law commissions.

72. Correct Option: (b)

Explanation:

- **Statement 3 is incorrect:** The salary, allowances and other conditions of services of the Chairperson are the same as that of Chief Justice of India.

Supplementary notes:

The Lokpal

- The Lokpal is the first institution of its kind in independent India, established under the Lokpal and Lokayuktas Act 2013 to inquire and investigate into allegations of corruption against public functionaries who fall within the scope and ambit of the above Act.

- The Lokpal has jurisdiction to inquire into allegations of corruption against anyone who is or has been Prime Minister, or a Minister in the Union government, or a Member of Parliament, as well as officials of the Union Government under Groups A, B, C and D.

- Also covered are chairpersons, members, officers and directors of any board, corporation, society, trust or autonomous body either established by an Act of Parliament or wholly or partly funded by the Union or State government.
- It also covers any society or trust or body that receives foreign contribution above Rs 10 lakh.
- A complaint under the Lokpal Act should be in the prescribed form and must pertain to an offence under the Prevention of Corruption Act, 1988 against a public servant. There is no restriction on who can make such a complaint.
- The Lokpal, with respect to Central government servants, shall refer the complaints to the Central Vigilance Commission (CVC).
- The CVC will send a report to the Lokpal regarding officials falling under Groups A and B; and proceed as per the CVC Act against those in Groups C and D.
- The Inquiry Wing or any other agency will have to complete its preliminary inquiry and submit a report to the Lokpal within 60 days.
- It has to seek comments from both the public servant and "the competent authority", before submitting its report. There will be a "competent authority" for each category of public servant as defined under the Act.
- **The lokpal is vested with the power of search and seizure and also powers under the Civil Procedure Code** for the purpose of conducting preliminary inquiry & investigation and power of attachment of assets and taking other steps for eradication of corruption.
- Lokpal will have power of superintendence and direction over any central investigation agency including CBI for cases referred to them by the Lokpal.
- The Lokpal consists of a Chairperson and eight Members out of whom 50% are Judicial Members.
- The Chairperson and the Members are appointed by the President of India by warrant under his hand and seal and hold office for a term of five years from the date on which they enter upon the office or until

- they attain the age of 70 years, whichever is earlier.
- The salary, allowances and other conditions of services of the Chairperson are the same as that of Chief Justice of India.
- The salary, allowances and other conditions of services of the Members are the same as that of a Judge of the Supreme Court.
- Lokpal will have two main branches and will discharge its functions through these two.
- The Administrative branch is headed by an officer of the rank of Secretary to Government of India** and will have in its fold:
 - Inquiry/ Investigation branch to be headed by an officer not below the rank of Additional Secretary to Government of India
 - Prosecution wing to be headed by an officer not below the rank Additional Secretary to Government of India
 - Central Registry
 - Scrutiny wing
 - Establishment, Coordination, Media and Publication
 - Budget, Finances and Accounts
- The Judicial Branch will be headed by a Judicial officer of appropriate level and will assist the Lokpal discharge their judicial functions.

73. Correct Option: (d)

Explanation:

- All statements are correct

Supplementary notes:

E-Governance Initiatives Related to Judiciary

- E-Courts Project**
 - It is a pan-India Mission Mode Project that aims for universal computerization of district and subordinate courts with an objective of providing designated services to litigants, lawyers and the judiciary.
 - Its objective is to make the justice delivery system affordable, accessible, cost effective, transparent and accountable by re-engineering processes and enhancing judicial productivity both qualitatively and quantitatively.
 - The e-Courts offer following services: Automation of Case Management

Processes, Establish information gateways between courts and government agencies, online copies of orders and judgments and case status etc.

- Tele-Law Initiative**
 - It is an initiative of Ministry of Law and Justice launched in 2017 to address cases at pre-litigation stage.
 - Under this programme, smart technology of video conferencing, telephone /instant calling facilities available at the **vast network of Common Service Centres** at the Panchayat level are used to connect the indigent, down-trodden, vulnerable, unreached groups and communities with the Panel Lawyers for seeking timely and valuable legal advice.
- National Judicial Data Grid**
 - It is a flagship project under the e-Courts project.
 - It acts a national repository of data relating to cases pending and disposed of in all district and taluka courts of the country.

74. Correct Option: (c)

Explanation

- Both statements are correct

Supplementary notes:

National Court of Appeal

- The Supreme Court's guided the Central government to consider the possibility of establishing a National Court of Appeal.
- The National Court Appeal with regional benches in Chennai, Mumbai and Kolkata is meant to act as final court of justice in dealing with appeals from the decisions of the High Courts and tribunals within their region in civil, criminal, labor and revenue matters.
- In such a scenario, a much-relieved Supreme Court of India situated in Delhi would only hear matters of constitutional law and public law.

75. Correct Option: (b)

Explanation:

- Option (b) is correct

Supplementary notes:

Evolution of the third-tier governance in India

- In December, 1977, a Committee on Panchayati Raj, headed by Ashok

- Mehta** was appointed. The Committee considered inadequacy of resources, mainly responsible for failure of PRIs and, therefore, recommended, *inter alia*, measures for strengthening the financial resources of PRIs.
- Although a number of committees were formed between 1978 and 1986 to look into various aspects of strengthening the local self-government institutions such as the committees under **C.H. Hanumantha Rao (1984)**, G.V.K. Rao (1985) and **L.M. Singhvi (1986)**, only minor suggestions were made for any change in the ideas/structures proposed by the Asoka Mehta Committee.
 - After 1987, a thorough review of the functioning of local government institutions was initiated. In **1989 the P.K. Thungon Committee** recommended constitutional recognition for the local government bodies.

76. Correct Option: (b)

Explanation:

- Statement 2 is incorrect:** A state having a population not exceeding 20 lakhs may not constitute Panchayats at the intermediate level.

Supplementary notes:

73rd Constitutional Amendment Act:

- The **73rd Constitutional Amendment Act** has added a new **Part-IX** to the Constitution of India. This part is entitled as '**The Panchayats'** and consists of provisions from **Articles 243 to 243 O**.
- The act provides for a three-tier system of Panchayati Raj in every state, that is, Panchayats at the village, intermediate, and district levels.**
- A state having a population **not exceeding 20 lakh may not constitute Panchayats at the intermediate level.**
- The act has also added a new **Eleventh Schedule** to the Constitution. This schedule contains 29 functional items of the Panchayats. It deals with **Article 243-G**. The act gives a **constitutional status** to the Panchayati raj institutions.
- The act provides for a **Gram Sabha**, a body consisting of persons registered in the electoral rolls of a village comprised within the area of Panchayat at the village level. It is a body consisting of persons registered in the electoral rolls of a village comprised within the area of Panchayat at the village level. Thus, it is a village assembly consisting of all the registered voters in the area of a panchayat.

- It may exercise such powers and perform such functions at the village level as the legislature of a state determines.
- All the members of Panchayats at the village, intermediate and district levels shall be elected directly by the people.** Further, the chairperson of Panchayats at the intermediate and district levels shall be elected indirectly by and from amongst the elected members thereof. However, the chairperson of a panchayat at the village level shall be elected in such manner as the state legislature determines.

77. Correct Option: (d)

Explanation:

- Option (d) is correct**

Supplementary notes:

Bar to Interference by Courts in Electoral Matters of municipalities

- The 74th Amendment act bars the interference by courts in the electoral matters of municipalities.
- It declares that the validity of any law relating to the delimitation of constituencies or the allotment of seats to such constituencies cannot be questioned in any court.**
- It further lays down that no election to any municipality is to be questioned except by an election petition presented to such authority and in such manner as provided by the state legislature.

78. Correct Option: (d)

Explanation:

- Statement 1 is incorrect:** The act provides for the reservation of seats for scheduled castes and scheduled tribes in every panchayat in proportion of their population to the total population in the panchayat area.
- Statement 2 is incorrect:** This is because Arunachal Pradesh is inhabited fully by indigenous tribal people and there are no scheduled castes.

Supplementary notes:

Reservations as per the 73rd Amendment Act

- The act provides for the reservation of seats for scheduled castes and scheduled tribes in every panchayat (i.e., at all the three levels) in proportion of their population to the total population in**

the panchayat area. Further, the state legislature shall provide for the reservation of offices of chairperson in the panchayat at the village or any other level for the SCs and STs.

- If the States find it necessary, they can also provide for reservations for the other backward classes (OBCs).
- The act provides for the reservation of not less than one-third of the total number of seats for women (including the number of seats reserved for women belonging the SCs and STs). Further, not less than one-third of the total number of offices of chairpersons in the panchayats at each level shall be reserved for women.
- **The above provision relating to the reservation of seats in panchayats (both members and chairpersons) for the scheduled castes is not applicable to the state of Arunachal Pradesh.** This is because the state is inhabited fully by indigenous tribal people and **there are no scheduled castes.** This provision was added later by the 83rd Constitutional Amendment Act of 2000.
- Panchayats (Extension to the Scheduled Areas) Act, 1996 (PESA) extends Part IX of the Constitution to the areas listed under the Fifth Schedule subject to certain exceptions and modifications. At present Scheduled V areas exist in 10 States viz. **Andhra Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha, Rajasthan and Telangana.**

79. Correct Option: (b)

Explanation:

- **Statement 3 is incorrect:** “Minor Forest Produce” has been defined in “The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006”

Supplementary notes:

PESA Act

- Article 243M of the Constitution exempts the 5th and 6th Schedule areas from Part IX of the Constitution. However, it empowers the Parliament to extend its provisions (by a suitable legislation) to the Scheduled and Tribal Areas subject to such exceptions and modifications as may be specified in such law.
- On the basis of the report of the Bhuria Committee submitted in 1995, the Parliament enacted the Panchayats

(Extension to Scheduled Areas) Act, 1996 (PESA) to extend Part IX of the Constitution with certain modifications and exceptions to the Scheduled V areas.

- Under PESA, Gram Sabhas have been given the following powers:
 - Developmental: consultation before land acquisition, prevent land alienation, power to enforce prohibition, prior approval of all developmental projects and control over tribal sub-plan, power to issue utilization certificate for developmental expenditure, selection of beneficiaries of poverty alleviation and other schemes of individual benefits, control over institutions and functionaries of social sectors
 - Dispute resolution as per traditional laws and customs
 - Ownership and management of natural resources like water resources, common lands, minor forest produce, minor minerals, etc.

“Minor Forest Produce” has been defined in “The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006” which includes all non-timber forest produce of plant origin, including bamboo, brush wood, stumps, cane, tussar, cocoons, honey-wax, lac, tendu leaves, medicinal plants, herbs, roots, tubers, etc.

80. Correct Option: (c)

Explanation:

- **Option (c) is correct:** A Township is established by the large public enterprises to provide civic amenities to its staff and workers who live in the housing colonies built near the plant. A town administrator looks after the administration with the assistance of technical and non-technical staff.

Supplementary notes:

Types of Urban Local Bodies

- **Notified Area Committee:** Established by a notification in the government gazette for the administration of a fast-developing town due to industrialization or a town which is considered important but not yet fulfill all the conditions necessary for the constitution of a municipality. It is an entirely nominated body.
- **Town Area Committee:** A semi-municipal authority set up for the administration of civic functions like drainage, roads, street

lighting etc. in a small town. Set-up by an act, it may be wholly elected or wholly nominated by the state government or partly elected and partly nominated.

- **Cantonment Board:** Set up under the Cantonments Act of 2006, it is responsible for municipal administration for civilian population in the cantonment area. Thus it is created and administered by the Central Government. It consists of partly elected and partly nominated members.
- **Special Purpose Agency:** Established as statutory bodies by an act of state legislature or as departments by an executive resolution, they function as autonomous bodies and deal with the functions allotted to them independently of the local urban governments. Eg: Water Board, Electricity Board, Pollution Control Boards etc.

81. Correct Option: (c)

Explanation:

- Both statements are correct

Supplementary notes:

Elections of PRIs

- All members of the three levels of Panchayati Raj institutions are elected directly by the people.
- The act provides for a five-year term of office to the panchayat at every level. However, it can be dissolved before the completion of its term.
- Further, fresh elections to constitute a panchayat shall be completed (a) before the expiry of its duration of five years; or (b) in case of dissolution, before the expiry of a period of six months from the date of its dissolution.
- But, where the remainder of the period (for which the dissolved panchayat would have continued) is less than six months, it shall not be necessary to hold any election for constituting the new panchayat for such period.
- Moreover, a panchayat constituted upon the dissolution of a panchayat before the expiration of its duration shall continue only for the remainder of the period for which the dissolved panchayat would have continued had it not been so dissolved.

82. Correct Option: (c)

Explanation:

- Both statements are correct

Supplementary notes:

11th and 12th Schedules

- The 11th Schedule was added by the 73rd Amendment Act, 1992 and specifies the powers, authority and responsibilities of panchayats. It has 29 matters.
- Article 243-G empowers the state legislature to endow the Panchayats by law, with such powers and authority as may be necessary to enable them to function as institutions of self-government and such law may contain provisions for the devolution of powers and responsibilities upon Panchayats
- The 12th Schedule was added by the 74rd Amendment Act, 1992 and specifies the powers, authority and responsibilities of municipalities. It has 18 matters.
- Article 243-W empowers the state legislature to endow the Municipalities by law, with such powers and authority as may be necessary to enable them to function as institutions of self-government and such law may contain provisions for the devolution of powers and responsibilities upon Municipalities.

83. Correct Option: (c)

Explanation:

- Statement 2 is incorrect: Under Article 280, it is the duty of the Finance Commission to make recommendations to the President as to the measures needed to augment the Consolidated Fund of a State to supplement the resources of the Panchayats and Municipalities in the State.

Supplementary notes:

State Finance Commission

- Article 243-I of the Indian Constitution provides for the constitution of a State Finance Commission by the Governor at the expiration of every fifth year, to review the financial position of the Panchayats and to make recommendations to the Governor as to the principles which should govern:
 - The distribution between the State and the Panchayats of the net proceeds of the taxes, duties, tolls and fees leviable by the State, which may be divided between them under this Part and the allocation between the Panchayats at all levels of their respective shares of such proceeds
 - The determination of the taxes, duties, tolls and fees which may be assigned as, or appropriated by, the Panchayats
 - The grants-in-aid to the Panchayats from the Consolidated Fund of the State

- The measures needed to improve the financial position of the Panchayats
- Any other matter referred to the Finance Commission by the Governor in the interests of sound finance of the Panchayats
- Article 243-Y of the Constitution further provides that the Finance Commission constituted under Article 243-I shall make similar recommendation vis-a-vis municipalities.
- The Governor is required to cause every recommendation made by the State Finance Commission together with an explanatory memorandum as to the action taken thereon to be laid before the Legislature of the State.

Under Article 280, it is the duty of the Finance Commission to make recommendations to the President as to the measures needed to augment the Consolidated Fund of a State to supplement the resources of the Panchayats and Municipalities in the State on the basis of the recommendations made by the Finance Commission of the State.

84. Correct Option: (d)

Explanation:

- **All statements are correct**

Supplementary notes:

Efforts by Government for Women Empowerment in Local Bodies

- In order to bring about 50% reservation for women in Panchayats in all States, a Constitution Amendment Bill, namely the Constitution (One Hundred and Tenth Amendment) Bill, 2009 was introduced in the Lok Sabha in 2009 but the matter could not be taken for discussion. However, states such as Odisha, Punjab, and West Bengal have increased the representation of women in both rural and urban local bodies to 50 percent.
- The Ministry of Panchayati Raj (MoPR) has launched various schemes like Rashtriya Gram Swaraj
- Yojana (RGSY); Panchayat Mahila Evam Yuva Shakti Abhiyan (PMEYSA); capacity building component of Backward Region Grants Fund (BRGF), Rajiv Gandhi Panchayat Sashaktikaran Abhiyan (RGPSA) and recently launched Rashtriya Gram Swaraj Abhiyan (RGSA). These schemes also have strong component of capacity building of elected women representatives.

- For example, PMEYSA enable women Panchayat leaders to come together to articulate their problems as women Panchayat leaders, discuss issues regarding the institutional mechanisms for their empowerment and come up with a charter of issues to be mainstreamed into policy and advocacy support so that their concerns are addressed by the process of development adopted by the State and the three-tier PRI system.
- National Rural Livelihoods Mission (NRLM) has successfully facilitated PRI-SHG convergence project in several states including Assam, Jharkhand, Maharashtra and Rajasthan.
- The Gram Panchayat Development Plans (GPDP) guidelines include proactive women participation in activities like budgeting, planning, implementation and monitoring of GPDP etc.

85. Correct Option: (a)

Explanation:

- **Statement 4 is incorrect:** The adoption of the Principle of Subsidiarity as recommended by 2nd ARC would lead to greater effectiveness in functioning of PRIs.

Supplementary notes:

Problems of Local Governance

- **Inadequate devolution** in terms of funds, functions and functionaries inhibited the success of political decentralization. For a variety of reasons, states do not devolve adequate functions to local government bodies, severely affecting the system's efficiency and effectiveness.
- **Financial Challenges:** Local government expenditure as a percentage of GDP is only two percent. Also most of the local bodies are unable to generate adequate funds from their internal sources and thus overwhelmingly depend upon government funding.
- Unlike the Finance Commission, the seriousness, regularity, acceptance of recommendations and their implementation is absent for **State Finance Commissions**. Many states have not submitted reports beyond the 3rs SFC.
- **Excessive control of bureaucracy:** Composition of SFCs in most of the states reveal the overwhelming presence of serving and/or retired bureaucrats rather than academics.

- **Emergence of Parallel Governance** like the establishment of a Special purpose vehicle for the execution of the city development under Smart Cities Mission.

The general aim of the principle of subsidiarity is to guarantee a degree of independence for a lower authority in relation to a higher body or for a local authority in relation to central government. It therefore involves the sharing of powers between several levels of authority, a principle which forms the institutional basis for federal states. Thus, adoption of this principle as recommended by 2nd ARC would lead to greater effectiveness in functioning of PRIs.

86. Correct Option: (d)

Explanation:

- **Both statements are correct**

Supplementary notes:

State Election Commission

- The State Election Commission is constituted as an independent **constitutional body** in pursuance of the Seventy Third and Seventy Fourth Amendment of the Constitution of India.
- As per the Article 243K(1), it is vested with the responsibility for superintendence, direction and control of preparation of electoral rolls for and the conduct of all elections to local bodies.
- It consists of a state election commissioner to be appointed by the governor. His conditions of service and tenure of office shall also be determined by the governor.
- He shall not be removed from the office except in the manner and on the grounds prescribed for the removal of a judge of the state high court. A judge of a high court can be removed from his office by the president on the recommendation of the Parliament. This means that a state election commissioner cannot be removed by the governor, though appointed by him.
- The state legislature may make provision with respect to all matters relating to elections to the panchayats.

87. Correct Option: (b)

Explanation:

- **Pair 2 is incorrectly matched:** Puducherry was created for its cultural distinctiveness.

Supplementary notes:

Creation of Union Territories

- The 7th Constitutional Amendment Act (1956) and the States Reorganization Act (1956) classified the erstwhile 'Part C' and 'Part D' states into Union Territories. Gradually, some of these union territories were granted statehood. Thus, the states of Himachal Pradesh, Manipur, Tripura, Mizoram, Arunachal Pradesh and Nagaland became states.
- Prades and Goa were former union territories.
- Presently there are 8 UTs in India: Andaman and Nicobar Islands, Chandigarh, Dadra and Nagar Haveli and Daman and Diu, National Capital Territory of Delhi, Jammu and Kashmir, Lakshadweep, Ladakh and Puducherry.
- The union territories have been created for a variety of reasons:
 - Political and administrative consideration—Delhi and Chandigarh.
 - Cultural distinctiveness—Puducherry, Dadra and Nagar Haveli, and Daman and Diu
 - Strategic importance—Andaman and Nicobar Islands, Lakshadweep, J&K and Ladakh
 - Special treatment and care of the backward and tribal people—Mizoram, Manipur, Tripura and Arunachal Pradesh which later became states

88. Correct Option: (c)

Explanation:

- **Statement 2 is incorrect:** The legislative power of Parliament for the union territories on subjects of the State List remains unaffected even after establishing a local legislature for them.
- **Statement 3 is incorrect:** The Parliament can establish by law, a high court for a union territory or put it under the jurisdiction of the high court of adjacent state.

Supplementary notes:

Administration of Union Territories

- Articles 239 to 241 in Part VIII of the Constitution relates to Union Territories.
- The administration of Union Territories vests in the President acting to the extent he deems fit through an Administrator. The

President acts on the advice of his Ministers who are responsible to Parliament. The Administrator is the agent of the President. **This agency system is fully justifiable on constitutional-cum-democratic grounds.**

- The President can also appoint the Governor of a State as the administrator of an adjoining Union territory, and is such a case; he shall exercise his functions as such administrator independently of his Council of Ministers.
- Parliament is empowered to create for the Union Territory by law, a body, whether elected or partly nominated and partly elected, to function as a Legislature and also a Council of Ministers.
- The legislative power of Parliament extends to make laws on any subject of the three lists (including the State List) for the union territories. This power of Parliament also extends to Puducherry, Delhi and Jammu and Kashmir, which have their local legislatures.
- **The legislative power of Parliament for the union territories on subjects of the State List remains unaffected even after establishing a local legislature for them.**
- But, the legislative assembly of Puducherry can also make laws on any subject of the State List and the Concurrent List. Similarly, the legislative assembly of Delhi can make laws on any subject of the State List (except public order, police and land) and the Concurrent List. Likewise, the legislative assembly of Jammu and Kashmir can make laws on any subject of the State List (except public order and police) and the Concurrent List.
- **A High Court can be established for a Union Territory by a Parliamentary law or it can be placed under the jurisdiction of the high court of adjacent state.** Recently, the Lakshadweep administration has mooted a proposal to move the Union Territory from the jurisdiction of the Kerala High Court to that of the Karnataka High Court.

89. Correct Option: (a)

Explanation:

- **Statement 2 is incorrect:** Delimitation Commission is a statutory body. In India, Delimitation Commissions have been constituted 4 times – in 1952 under the various Delimitation Commission Acts, made by the Parliament.

- **Statement 3 is incorrect:** EC has been vested with the authority to redraw boundaries of constituencies.

Supplementary notes:

Delimitation of J&K and Ladakh

- Delimitation Commission is a statutory body. In India, Delimitation Commissions have been constituted 4 times – in 1952 under the Delimitation Commission Act, 1952, in 1963 under Delimitation Commission Act, 1962, in 1973 under Delimitation Act, 1972 and in 2002 under Delimitation Act, 2002.
- Recently there have been speculations about possible scheduling of the Assembly elections in Union Territory of J&K and delimitation is crucial for this.
- Delimitation is the act of fixing limits or boundaries of an Assembly or Lok Sabha constituency to represent changes in population over time.
- This job is assigned to a high power body called Delimitation Commission in India.
- The orders of a Delimitation Commission have the force of law and cannot be called in question before any court. These orders come into force on a date to be specified by the President of India in this behalf.
- Delimitation of Jammu and Kashmir's Lok Sabha seats is governed by the Indian Constitution, but delimitation of its Assembly seats (until special status was abrogated recently) was governed separately by the Jammu and Kashmir Constitution and Jammu and Kashmir Representation of the People Act, 1957.
- As far as delimitation of Lok Sabha seats is concerned, the last Delimitation Commission of 2002 was not entrusted with this task. Hence, J&K parliamentary seats remain as delimited on the basis of the 1971 Census.
- While the amendment of 1976 to the Indian Constitution suspended delimitation in the rest of the country till 2001, no corresponding amendment was made to the J&K Constitution. Hence, unlike the rest of the country, the Assembly seats of J&K were delimited based on the 1981 Census, which formed the basis of the state elections in 1996.
- There was no census in the state in 1991 and no Delimitation Commission was set up by the state government after the 2001 Census as the J&K Assembly passed a law putting a freeze on fresh delimitation until 2026. This freeze was upheld by the Supreme Court.

There is precedence of the EC being vested with the authority to redraw boundaries of constituencies – including when Delhi was delimited to 70 seats in 1991-92, and Uttarakhand to 70 seats in 2000. Also, Section 8A of the RP Act 1950, introduced by Parliament in 2008, states that delimitation in the four northeast states of Arunachal Pradesh, Manipur, Assam and Nagaland, when held, would fall within the EC's remit.

90. Correct Option: (a)

Explanation:

- **Statement 2 is incorrect:** The demand for the creation of Zoland Territorial Council (ZTC) under the 6th Schedule has been recently raised by Zomi community in Manipur.

Supplementary notes:

5th and 6th Schedule

- The Fifth Schedule under Article 244(1) of the Constitution contains provisions regarding administration of Scheduled Areas other than in Northeast India.
- At present, Scheduled Areas have been declared in the States of Andhra Pradesh (including Telangana), Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha and Rajasthan.
- The criteria for declaring any area as a "Scheduled Area" under the Fifth Schedule are:
 - Preponderance of tribal population
 - Compactness and reasonable size of the area
 - A viable administrative entity such as a district, block or taluk
 - Economic backwardness of the area as compared to the neighboring areas
- These criteria are not mentioned in the Constitution of India.
- The Constitution under the 6th Schedule contains special provisions for the administration of tribal areas in 4 N.E. states of Assam, Meghalaya, Tripura and Mizoram because the tribes in these states have not assimilated much the life and ways of other people in these states.
- The tribal areas in these states have been constituted as autonomous districts, each having a district council of 30 members of which 26 are elected and 4 are nominated by the Governor.

- The governor can also divide the district into several autonomous regions if there are different tribes in an autonomous district. Each autonomous region within an autonomous district can also have a separate regional council.
- The district and regional councils can make laws on certain specified matters like land, forests, village administration etc. and all such laws require Governor's assent.
- These councils can also constitute village councils or courts for trial of suits between tribes; can establish and manage primary schools; dispensaries etc.; can assess and collect land revenue also.
- The acts of Parliament or state Legislatures do not apply to autonomous districts and regions or apply with specified modifications and exceptions subject to the order by President or Governor in this regard.

The demand for the creation of Zoland Territorial Council (ZTC) under the 6th Schedule was recently raised by Zomi community of Manipur. The Zou people or Zomi are an indigenous community living along the frontier of India and Burma. They are a sub-group of the Zo people (Mizo-Kuki-Chin). In India, the Zou are officially recognized as one of the thirty-three indigenous peoples within the state of Manipur, and are one of the Scheduled tribes.

91. Correct Option: (a)

Explanation:

- **Statement 1 is incorrect:** The specification of "Scheduled Areas" in relation to a State is by a notified order of the President, after consultation with the Governor of that State.
- **Statement 2 is incorrect:** Both the Centre and the State have a responsibility for the administration of the Scheduled areas.

Supplementary notes:

Administration of Schedule Areas

- The 5th Schedule of the Constitution contains provisions regarding administration of Scheduled Areas other than in Northeast India.
- At present, Scheduled Areas have been declared in the States of Andhra Pradesh (including Telangana), Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha and Rajasthan.

- Under Article 244 (1) of the Constitution of India, the 'Scheduled Areas' are defined as 'such areas as the President may by order declare to be Scheduled Areas' – as per paragraph 6(1) of the Fifth Schedule of the Constitution of India.
- In accordance with the provisions of paragraph 6(2) of the Fifth Schedule of the Constitution of India, the President may increase, decrease or alter the area of any Scheduled Area in a State or may incorporate new areas as 'Scheduled Areas' after consultation with the Governor of that State.
- Constitution of a 20-member Tribal Advisory Council is mandatory for the states having scheduled areas.**
- Three-Fourth of the members of TAC are to be the Scheduled Tribes' representatives in that state legislative assembly.
- The power to direct that any particular act of Parliament or the state legislature does not apply to a scheduled area or apply with specified modifications and exceptions lies with the Governor.
- Both the Centre and the State have a responsibility for the administration of the Scheduled areas. The Centre gives directions to the state regarding the administration of such areas whereas the governor of the state has to report annually (or earlier) to the President over the management of such areas.**

92. Correct Option: (d)

Explanation:

- All statements are correct**

Supplementary notes:

Administration of Tribal Areas

- The Constitution under the 6th Schedule contains special provisions for the administration of tribal areas in 4 N.E. states of Assam, Meghalaya, Tripura and Mizoram because the tribes in these states have not assimilated much the life and ways of other people in these states.
- The tribal areas in these states have been constituted as autonomous districts, each having a district council of 30 members of which 26 are elected and 4 are nominated by the Governor.
- If there are different tribes in an autonomous district, the governor can divide the district into several autonomous regions. Each autonomous region within an autonomous district can also have a separate regional council.

- The district and regional councils can make laws on certain specified matters like land, forests, village administration etc. and all such laws require Governor's assent.
- These councils can also constitute village councils or courts for trial of suits between tribes; can establish and manage primary schools; dispensaries etc.; can assess and collect land revenue also.
- The acts of Parliament or state Legislatures do not apply to autonomous districts and regions or apply with specified modifications and exceptions subject to the order by President or Governor in this regard.

93. Correct Option: (b)

Explanation:

- Statement 1 is incorrect:** TSP is not applicable to states where tribals represent more than 60% of the population.
- Statement 2 is incorrect:** Since Financial Year 2018-19, the monitoring of STC (TSP) plan is done by the Ministry of Tribal Affairs.

Supplementary notes:

Tribal Sub-Plan (TSP)

- Tribal Sub-Plan came into existence in 1974-75 as a strategy for the development of areas having tribal concentration. After merger of Plan and Non-Plan, the TSP was renamed as Scheduled Tribe Component (STC) by Ministry of Finance.
- 41 Central Ministries / Departments have been identified for earmarking of STC. Besides, State Governments are supposed to earmark TSP funds in proportion to ST population (Census 2011) in the State with respect to total State Plan.
- The monitoring of TSP plan was being done by erstwhile Planning Commission till 2017-18, it was only in FY 2018-19, the monitoring of STC plan was given to Ministry of Tribal Affairs.
- The Tribal Sub-Plan was initiated during Fifth Five Year Plan for socio-economic amelioration of the tribal communities.** The main aims were to bridge the gap between the Schedule Tribes (STs) and the general population with respect to all socio-economic development indicators in a time-bound manner. **TSP is not applicable to states where tribals represent more than 60% of the population.**
- The essential features of TSP are:
 - Recognize that there is no uniform solution to the variety of problems

facing tribal regions and communities; therefore, formulate policies, programmes and schemes to suit each individual situation and especially for vulnerable sections like Primitive Tribal Groups (PTGs), bonded laborers, shifting cultivators, forest villagers, displaced persons, etc.

- Evolve appropriate frame for development with emphasis on tribal people at the national and State level through Sub-Plan exercise, ensuring adequate quantification from State and Central Plan funds, with budgetary mechanisms to ensure accountability, non-divertability and full utilization
- Accord highest priority to protective measures for elimination of exploitation of tribal people
- Restructure the administrative and institutional set up to suit the local needs and aspirations
- Supplement State efforts substantially by the Union Government through Special Central Assistance (SCA)
- The TSP funds are allocated from the Consolidated Fund of India under article 275(I). Thus it is a central sector scheme under which 100% financial assistance is being provided to the states by the Ministry of Tribal Affairs

94. Correct Option: (c)

Explanation:

- Both statements are correct

Supplementary notes:

69th Constitutional Amendment Act

- The 69th Constitutional Amendment Act of 1991 provided a special status to the Union territory of Delhi. The strength of the council of ministers is **fixed at ten per cent of the total strength of the assembly**, that is, seven- one chief minister and six other ministers.

GNCTD Act, 2021

- The amended Act defines the 'government' in Delhi means the 'Lieutenant Governor' and the opinion of the LG 'shall be obtained' before taking any executive action on decisions by the Council of Ministers of the Delhi government.

95. Correct Option: (d)

Explanation:

- All statements are correct

Supplementary notes:

Scheduled Areas under the Fifth Schedule

- In Article 244(1) of the Constitution, expression Scheduled Areas means such areas as the President may by order declare to be Scheduled Areas.
- The President may at any time by order:
 - direct that the whole or any specified part of a Scheduled Area shall cease to be a Scheduled Area or a part of such an area;
 - increase the area of any Scheduled Area in a State after consultation with the Governor of that State;
 - alter, but only by way of rectification of boundaries, any Scheduled Area;
 - on any alteration of the boundaries of a State on the admission into the Union or the establishment of a new State, declare any territory not previously included in any State to be, or to form part of, a Scheduled Area;
 - in relation to any State or States, any order or orders made under these provisions and in consultation with the Governor of the State concerned, make fresh orders redefining the areas which are to be Scheduled Areas.

Criteria for Declaring Schedule Areas

- The criteria followed for declaring an area as Scheduled Area are:
 - Preponderance of tribal population,
 - Compactness and reasonable size of the area,
 - A viable administrative entity such as a district, block or taluk, and
 - Economic backwardness of the area as compared to the neighbouring areas.
- These criteria are not spelt out in the Constitution of India but have become well established.

96. Correct Option: (b)

Explanation:

- **Statement 2 is incorrect:** The governor is empowered to organize and re-organize the autonomous districts.
- **Statement 3 is incorrect:** The acts of Parliament or the state legislature do not apply to autonomous districts and autonomous regions or apply with specified modifications and exceptions.

Supplementary notes:

Autonomous District Councils

- The Constitution, under Sixth Schedule, contains special provisions for the administration of tribal areas in the four north-eastern states of Assam, Meghalaya, Tripura and Mizoram.
- Article 244 - the Administration of Scheduled Areas and Tribal Areas
- Article 244A-Formation of an autonomous state comprising certain tribal areas in Assam and creation of local legislature or Council of Ministers or both therefore
- The tribal areas in the four states of Assam, Meghalaya, Tripura and Mizoram have been constituted as autonomous districts.
- The governor is empowered to organise and re-organise the autonomous districts. Thus, he can increase or decrease their areas or change their names or define their boundaries and so on.
- **Each autonomous district has a district council consisting of 30 members**, of whom four are nominated by the governor and the remaining 26 are elected on the basis of adult franchise. The elected members hold office for a term of five years (unless the council is dissolved earlier) and nominated members hold office during the pleasure of the governor.
- The district and regional councils within their territorial jurisdictions can constitute village councils or courts for trial of suits and cases between the tribes. They hear appeals from them. The jurisdiction of high court over these suits and cases is specified by the governor.
- **The acts of Parliament or the state legislature do not apply to autonomous districts and autonomous regions or apply with specified modifications and exceptions.**

97. Correct Option: (b)

Explanation:

- **Statement 1 is incorrect:** Article 371 empowers the Governors of Maharashtra and Gujarat with a special responsibility the establishment of separate development boards in these states.

Supplementary notes:

Special Provision for Some States

- Article 371 relates to special provisions for the states of Maharashtra and Gujarat. It empowers the Governor of these states with

a special responsibility the establishment of separate development boards for Vidarbha, Marathwada, and the rest of Maharashtra or, as the case may be, Saurashtra, Kutch and the rest of Gujarat; the equitable allocation of funds for their developmental expenditure and an equitable arrangement for technical and vocational education, employment in state services etc.

- The report on working of these boards is to be placed before the State Legislative Assembly annually.
- Article 371-H empowers the Governor of Arunachal Pradesh with a special responsibility with respect to law and order in the State of Arunachal Pradesh. In this aspect, Governor, after consulting the Council of Ministers, can exercise his individual judgement and his decision is final. It also provides the minimum strength of Arunachal Pradesh Legislative Assembly to be 30 members.
- Article 371-I provides the minimum strength of Goa Legislative Assembly to be 30 members.

98. Correct Option: (d)

Explanation:

- **Statement 1 is incorrect:** Under Article 371-A, no act of Parliament would apply to the state of Nagaland in matter relating to religious or social practices of Nagas, Naga customary law and procedure, administration of civil or criminal justice involving decisions according to Naga customary law and ownership and transfer of land and its resources. The Legislative Assembly of Nagaland must pass a resolution for an act to be applicable to the state. Article 371-G provides similar provision for Mizoram.
- **Statement 2 is incorrect:** Under Article 371-B, the President may provide for the Constitution and functions of a committee of Legislative Assembly of the state consisting of members elected from the tribal areas of Assam. Similarly, under Article 371-C, the President may provide for the constitution and functions of a committee of Legislative Assembly of Manipur.

Supplementary notes:

Special Provision for Some States

- **Article 371-A** makes the following special provisions for Nagaland:
 - No act of Parliament would apply to the state of Nagaland in matter relating to religious or social practices of Nagas,

Naga customary law and procedure, administration of civil or criminal justice involving decisions according to Naga customary law and ownership and transfer of land and its resources. The Legislative Assembly of Nagaland must pass a resolution for an act to be applicable to the state.

- The governor is given special responsibilities with respect to law and order in the state. This special responsibility of the Governor shall cease when the President so directs.
- Similarly, Article 371-G that deals with special provisions with respect to Mizoram has similar nature.
- Under Article 371-B, the President may provide for the Constitution and functions of a committee of Legislative Assembly of the state consisting of members elected from the tribal areas of Assam.
- Similarly, Article 371-C provides similar special provisions for Manipur as provided under A-371-B for Assam. Here, too, the President may provide for the constitution and functions of a committee of Legislative Assembly of the state, but consisting of members elected from the hill areas of Manipur. The Governor must submit an annual report to the president regarding the administration of hill areas as well.
- Article 371-F provides special provisions for the state of Sikkim. It states the minimum strength of Sikkim Legislative Assembly to be 30 and provides seats in the Legislative Assembly to people of the different sections of the State's population. The Governor shall have special responsibility for peace and for an equitable arrangement for ensuring the social and economic advancement of the different sections of the Sikkim population.

99. Correct Option: (c)

Explanation:

- **Statement 1 is incorrect:** Article 371-D provides equitable opportunities and facilities for the people of the Andhra Pradesh and safeguards their rights in matters of employment and education. Also, the Constitution of India does not include any provision for the categorization of any state in India as a 'special category state'.

- **Statement 2 is incorrect:** Article 371-J empowers the President to entrust the Governor of Karnataka, by an order, with a special responsibility for reservation of state government positions in the region for persons from the region.

Supplementary notes:

Special Provision for Some States

- **Article 371-D** contains special provisions for the state of Andhra Pradesh and Telangana (extended to Telangana by the Andhra Pradesh Re-Organisation Act of 2014).
- It empowers the President to provide for equitable opportunities and facilities for the people belonging to different parts of the state in the matter of public employment and education.
- **Article 371-E** empowers the Parliament to provide for the establishment of a Central University in the state of Andhra Pradesh.
- **Under Article 371-J,** The President may allow the Governor of Karnataka to take the following steps for development of the Hyderabad-Karnataka region:
 - Setting up a development board for the Region
 - Ensure equitable allocation of funds for development of the Region
 - Provide for reservation in educational and vocational training institutions, and
 - Reserve state government positions in the Region for persons from the Region.

100. Correct Option: (a)

Explanation:

- **Option (a) is correct**

Supplementary notes:

73rd Amendment Act

- This act has added a new **Part-IX** to the Constitution of India. This part is entitled as 'The Panchayats' and consists of provisions from **Articles 243 to 243 O**.
- In addition, the act has also added a new **Eleventh Schedule to the Constitution**. This schedule contains 29 functional items of the panchayats. It deals with Article 243-G.