



ForumIAS

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## Prelims Marathon

4th to 10th January, 2021

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HISTORY

ECONOMICS

POLITY

SCIENCE AND TECHNOLOGY

GEOGRAPHY AND ENVIRONMENT

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## *Consolidation of India after Independence*

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**Q.1)** In which year the Government of India passes the Official Languages Act?

- a) 1962
- b) 1963
- c) 1964
- d) 1965

**ANS: B**

**Explanation:** The language issue was further clarified by Parliament in 1963 through the Official Languages Act which stated that Hindi was to become the official language in India from 1965.

Source: Spectrum Modern India Page no, 715.

**Q.2)** In which of the following Congress Session had made efforts to recognize regional linguistic identities and divided India into 21 linguistic units for its organizational set up?

- a) 1919 – Amritsar
- b) 1920 – Nagpur
- c) 1921 – Ahmadabad
- d) 1922 – Gaya

**ANS: B**

**Explanation:** The Congress in its 1920's session in Nagpur had made efforts to recognise regional linguistic identities and divided India into 21 linguistic units for its organisational set up.

Many provincial Congress committees were set up on the basis of linguistic zones, which often did not coincide with the administrative divisions of British India.

Source: Spectrum Modern India Page no, 715.

**Q.3)** Due to continuous demands, the Constituent Assembly, in June 1948, appointed the Linguistic Provinces Commission, which is headed by?

- a) Jawaharlal Nehru
- b) Pattabhi Sitaramayya
- c) S.K. Dhar
- d) Vallabhbhai Patel

**ANS: C**

**Explanation:** Due to continuous demands, the Constituent Assembly, in June 1948, appointed the Linguistic Provinces Commission, and headed by Justice S.K. Dhar, to enquire into the need of linguistic provinces.

- The Dhar Commission, however, opposed such a move in the interest of national integration.
- Consequently the Constituent Assembly decided not to include the linguistic principle in the constitution.

Source: Spectrum Modern India Page no, 716.

**Q.4)** In August 1951, “Swami Sitaram”, a Congressman and Gandhian leader, started a fast unto death for a linguistic province – was belongs to which region?

- a) Assam
- b) Gujarat
- c) Karnataka
- d) Andhra

**ANS: D**

**Explanation:** The first demand for a linguistic province was seen in the Telugu-speaking region of Andhra.

- In August 1951, Swami Sitaram, a Congressman and Gandhian leader started a fast unto death.
- While he broke his fast after thirty-five days, the movement was renewed in December 1952, by another Gandhian follower, Potti Sriramulu who died after fasting for fifty-six days.

Source: Spectrum Modern India Page no, 716.

**Q.5)** Who among the following is NOT a member of States Reorganization Commission (SRC) in 1953?

- a) Fazl Ali
- b) K.M. Panikkar
- c) Jaya Prakash Narayan
- d) Hridaynath Kunzru

**ANS: C**

**Explanation:** The creation of Andhra encouraged other linguistic groups to intensify their movements for their own state or for rectification of their boundaries on a linguistic ground.

- Under popular pressure, Nehru government appointed the States Reorganisation Commission (SRC) in August 1953.
- The commission, comprising Justice Fazl Ali, K.M. Panikkar and Hridaynath Kunzru as members, submitted its report in October 1955;
- Its recommendations were accepted with some modifications and implemented quickly.

Source: Spectrum Modern India Page no, 716 – 717.

**Q.6)** In November 1956, the States Reorganization Act was passed which provided for how many States and Union Territories?

- a) 12 States and 7 Union Territories
- b) 13 States and 7 Union Territories
- c) 14 States and 6 Union Territories
- d) 15 States and 6 Union Territories

**ANS: C**

**Explanation:** In November 1956, the States Reorganization Act was passed which provided for fourteen states and six centrally administered territories, but many of these states still contained sizeable linguistic minorities and regional economic disparities.

Source: Spectrum Modern India Page no, 717.

**Q.7)** The PEPSU States were merged with which of the following State?

- a) Punjab
- b) Jammu & Kashmir

- c) Uttar Pradesh
- d) Rajasthan

**ANS: A**

**Explanation:** In an exception to the linguistic principle, in 1956, the states of PEPSU were merged with Punjab.

Punjab remained a trilingual state having three language speakers—Punjabi, Hindi and Pahari.

Source: Spectrum Modern India Page no, 717.

**Q.8)** After Independence, which State first won the election other than the Congress party?

- a) Kerala
- b) West Bengal
- c) Tamil Nadu
- d) Andhra Pradesh

**ANS: A**

**Explanation:** Perhaps the first time people exercised their right of choice for a party other than the Congress was when they voted the Communists into power in Kerala in 1957.

Source: Spectrum Modern India Page no, 718.

**Q.9)** “Praja Socialist Party (PSP)” was formed by merging which of the following parties?

- a) Congress Socialist Party (CSP) and Bharatiya Jan Sangh
- b) Congress Socialist Party and Kisan Mazdoor Praja Party (KMPP)
- c) Kisan Mazdoor Praja Party (KMPP) and Bharatiya Jan Sangh
- d) Communist Party and Kisan Mazdoor Praja Party (KMPP)

**ANS: B**

**Explanation:** In September 1952, the CSP merged with the Kisan Mazdoor Praja Party (KMPP) to form a new party—Praja Socialist Party (PSP).

Source: Spectrum Modern India Page no, 718.

**Q.10)** Who among the following founded the Swatantra Party?

- a) Rammanohar Lohia
- b) M. R. Masani
- c) Acharya Kripalani
- d) C. Rajagopalachari

**ANS: D**

**Explanation:** Founded in August 1959, the Swatantra Party was a nonsocialist, constitutionalist and secular conservative party having distinguished leaders like C. Rajagopalachari (who resigned from the Congress), Minoo Masani, N.G. Ranga and K.M. Munshi, most of them being veteran Congress leaders.

Source: Spectrum Modern India Page no, 721.

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## *Indian Constitution: Historical Underpinnings, Evolution & Making of the Constitution*

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**Q.1)** The Regulating Act 1773 has a great constitutional importance due to which of the following?

1. It was the first step taken by the British Government to control and regulate the affairs of the East India Company in India.
2. It recognized, for the first time, the political, Financial and administrative functions of the Company.
3. It laid the foundations of central administration in India.

Select the correct answer using the code given below:

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

**ANS: C**

**Explanation:** Regulating act of 1773 was of great constitutional importance as

- It was the first step taken by the British Government to control and regulate the affairs of the East India Company in India;
- It recognized, for the first time, the political and administrative functions of the Company; and
- It laid the foundations of central administration in India.

Source: Laxmikanth.

**Q.2)** Which of the following is/are the features of Act of Settlement, 1781?

1. It exempted the Governor-General and the Council from the jurisdiction of the Supreme Court for the acts done by them in their official capacity.
2. It laid down that the appeals from the Provincial Courts could be taken to the Supreme Court.

Select the correct answer using the code given below:

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

**ANS: A**

**Explanation:** In a bid to rectify the defects of the Regulating Act of 1773, the British Parliament passed the Amending Act of 1781, also known as the Act of Settlement.

The features of this Act were as follows:

- It exempted the Governor-General and the Council from the jurisdiction of the Supreme Court for the acts done by them in their official capacity.
- Similarly, it also exempted the servants of the company from the jurisdiction of the Supreme Court for their official actions.

- It excluded the revenue matters and the matters arising in the collection of revenue from the jurisdiction of the Supreme Court.
- It provided that the Supreme Court was to have jurisdiction over all the inhabitants of Calcutta.
- It also required the court to administer the personal law of the defendants i.e., Hindus were to be tried according to the Hindu law and Muslims were to be tried according to the Mohammedan law.
- It laid down that the appeals from the Provincial Courts could be taken to the Governor-General-in-Council and not to the Supreme Court.
- It empowered the Governor-General-in-Council to frame regulations for the Provincial Courts and Councils.

Source: Laxmikanth.

**Q.3)** Which of the following Act distinguish the commercial and political functions of the Company?

- a) Regulating Act of 1773.
- b) Act of Settlement, 1781.
- c) Pitts India Act, 1784.
- d) None of the above.

**ANS: C**

**Explanation:** Pitts India Act, 1784 distinguished between the commercial and political functions of the Company.

Source: Laxmikanth.

**Q.4)** Which of the following is/are features of Charter Act of 1813?

- 1. It opened the Indian economy to all British Merchants.
- 2. It asserted the sovereignty of the British Crown over the Company's territories in India.
- 3. It allowed the Christian missionaries to come to India for the purpose of enlightening the people.

Select the correct answer using the code given below:

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

**ANS: D**

**Explanation:** The features of Charter Act of 1813 were as follows:

- It abolished the trade monopoly of the company in India i.e., the Indian trade was thrown open to all British merchants.
- However, it continued the monopoly of the company over trade in tea and trade with China.
- It asserted the sovereignty of the British Crown over the Company's territories in India.
- It allowed the Christian missionaries to come to India for the purpose of enlightening the people.

Source: Laxmikanth.

**Q.5)** Which of the following words are mentioned in Objectives Resolution?

- 1. Fraternity
- 2. Equality



- 3. Republic
- 4. Justice
- 5. Freedom
- 6. World Peace

Select the correct answer using the code given below:

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

**ANS: B**

**Explanation:** On December 13, 1946, Jawaharlal Nehru moved the historic 'Objectives Resolution' in the Assembly. It laid down the fundamentals and philosophy of the constitutional structure. It read:

- "This Constituent Assembly declares its firm and solemn resolve to proclaim India as an Independent Sovereign Republic and to draw up for her future governance a Constitution.
- Wherein the territories that now comprise British India, the territories that now form the Indian States and such other parts of India as are outside India and the States as well as other territories as are willing to be constituted into the independent sovereign India, shall be a Union of them all; and
- wherein the said territories, whether with their present boundaries or with such others as may be determined by the Constituent Assembly and thereafter according to the law of the Constitution, shall possess and retain the status of autonomous units together with residuary powers and exercise all powers and functions of Government and administration save and except such powers and functions as are vested in or assigned to the Union or as are inherent or implied in the Union or resulting there from; and
- where in all power and authority of the sovereign independent India, its constituent parts and organs of Government are derived from the people; and
- Where in shall be guaranteed and secured to all the people of India justice, social, economic and political; equality of status of opportunity, and before the law; freedom of thought, expression, belief, faith, worship, vocation, association and action, subject to law and public morality; and
- Where in adequate safeguards shall be provided for minorities, backward and tribal areas, and depressed and other backward classes; and
- Where by shall be maintained the integrity of the territory of the Republic and its sovereign rights on land, sea and air according to justice and the law of civilized nations; and
- This ancient land attains its rightful and honoured place in the world and makes its full and willing contribution to the promotion of world peace and the welfare of mankind."

This Resolution was unanimously adopted by the Assembly on January 22, 1947. It influenced the eventual shaping of the constitution through all its subsequent stages. Its modified version forms the Preamble of the present Constitution.

Source: Laxmikanth.

**Q.6)** Who among the following was headed the Advisory Committee on Fundamental Rights, Minorities and Tribal and Excluded Areas?

- a) Jawaharlal Nehru
- b) Dr. Rajendra Prasad

- c) Sardar Vallabhai Patel
- d) Alladi Krishnaswami Ayyar

**ANS: C**

**Explanation:** Advisory Committee on Fundamental Rights, Minorities and Tribal and Excluded Areas - Sardar Patel.

Source: Laxmikanth.

**Q.7)** The structural part of the Indian Constitution is, to a large extent, derived from which of the following?

- a) British Constitution
- b) Spanish Constitution
- c) Government of India Act, 1935
- d) American Constitution

**ANS: C**

**Explanation:** The structural part of the Constitution is, to a large extent, derived from the Government of India Act of 1935.

Source: Laxmikanth.

**Q.8)** The Indian Constitution has been described as 'quasi-federal' by whom among the following?

- a) K.C. Wheare
- b) Morris Jones
- c) Granville Austin
- d) Ivor Jennings

**ANS: A**

**Explanation:** Indian Constitution has been variously described as 'federal in form but, unitary in spirit', 'quasi-federal' by K.C. Wheare, 'bargaining federalism' by Morris Jones, 'co-operative federalism' by Granville Austin, 'federation with a centralizing tendency' by Ivor Jennings and so on.

Source: Laxmikanth.

**Q.9)** Which of the following is/are the features of Parliamentary form of Government?

1. Presence of real and nominal executives.
2. Majority party rule.
3. Collective responsibility of the executive to the legislature.

Select the correct answer using the code given below:

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

**ANS: D**

**Explanation:** The parliamentary system is also known as the 'Westminster' Model of Government, responsible Government and Cabinet Government. The Constitution establishes the parliamentary system not only at the Centre, but also in the states.

The features of parliamentary government in India are:

- Presence of nominal and real executives;
- Majority party rule,



- Collective responsibility of the executive to the legislature,
- Membership of the ministers in the legislature,
- Leadership of the Prime Minister or the Chief Minister,
- Dissolution of the lower House (Lok Sabha or Assembly).

Source: Laxmikanth.

**Q.10)** Which of the following is the 'novel feature' of the Indian Constitution?

- a) Fundamental Rights
- b) Fundamental duties
- c) Preamble
- d) Directive Principles of State Policy

**ANS: D**

**Explanation:** According to Dr. B.R. Ambedkar, the Directive Principles of State Policy is a 'novel feature' of the Indian Constitution.

- They are enumerated in Part IV of the Constitution.
- They can be classified into three broad categories – socialistic, Gandhian and liberal intellectual.

Source: Laxmikanth.

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## *The Preamble, The Union and its Territory, Citizenship*

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**Q.1)** Which of the following is not a device of direct democracy?

- a) Presidential System
- b) Recall
- c) Referendum
- d) Plebiscite

**ANS: A**

**Explanation:** Democracy is of two types: direct and indirect. In direct democracy, the people exercise their supreme power directly as is the case in Switzerland. There are four devices of direct democracy, namely, Referendum, Initiative, Recall and Plebiscite. In indirect democracy, on the other hand, the representatives elected by the people exercise the supreme power and thus carry on the government and make the laws. This type of democracy, also known as representative democracy, is of two kinds: parliamentary and presidential.

The Indian Constitution provides for representative parliamentary democracy under which the executive is responsible to the legislature for all its policies and actions. Universal adult franchise, periodic elections, rule of law, independence of judiciary, and absence of discrimination on certain grounds are the manifestations of the democratic character of the Indian polity.

Source: Indian Polity by Laxmikanth

**Q.2)** Consider the following statements with respect to Preamble:

- 1. Italian constitution was the first to begin with a Preamble
- 2. It contains the summary or essence of the Constitution

Which of the statements given above is/are correct?

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

**ANS: B**

**Explanation:** American Constitution was the first to begin with a Preamble. Many countries, including India, followed this practice. The term 'preamble' refers to the introduction or preface to the Constitution. It contains the summary or essence of the Constitution. N A Palkhivala, an eminent jurist and constitutional expert, called the Preamble as the 'identity card of the Constitution.'

Source: Indian Polity by Laxmikanth

**Q.3)** Consider the following statements with respect to secular state of India:

- 1. The term 'secular' was added to the Preamble of the Indian Constitution by the 44th Constitutional Amendment Act of 1978.
- 2. The Preamble secures to all citizens of India liberty of belief, faith and worship.
- 3. The State shall not deny to any person equality before the law or equal protection of the laws.

Which of the following given below codes are correct?

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

**ANS: C**

**Explanation:** The Constitution of India stands for a secular state. Hence, it does not uphold any particular religion as the official religion of the Indian State. The following provisions of the Constitution reveal the secular character of the Indian State:

- The term 'secular' was added to the Preamble of the Indian Constitution by the 42nd Constitutional Amendment Act of 1976.
- The Preamble secures to all citizens of India liberty of belief, faith and worship.
- The State shall not deny to any person equality before the law or equal protection of the laws (Article 14).
- The State shall not discriminate against any citizen on the ground of religion (Article 15).
- Equality of opportunity for all citizens in matters of public employment (Article 16).
- All persons are equally entitled to freedom of conscience and the right to freely profess, practice and propagate any religion (Article 25).
- Every religious denomination or any of its section shall have the right to manage its religious affairs (Article 26).
- No person shall be compelled to pay any taxes for the promotion of a particular religion (Article 27).

Source: Indian Polity by Laxmikanth

**Q.4)** Consider the following statements with respect to Justice in Preamble of Indian Constitution:

1. The term 'justice' in the Preamble embraces social and political justice only.
2. A combination of social justice and political justice denotes what is known as 'distributive justice'.
3. The ideal of Justice has been taken from Russian Revolution.

Which of the statements given above is/are **Not** correct?

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

**ANS: B**

**Explanation:** The term 'justice' in the Preamble embraces three distinct forms-social, economic and political, secured through various provisions of Fundamental Rights and Directive Principles.

Social justice denotes the equal treatment of all citizens without any social distinction based on caste, color, race, religion, sex and so on. It means absence of privileges being extended to any particular section of the society, and improvement in the conditions of backward classes (SCs, STs and OBCs) and women.

Economic justice denotes the non-discrimination between people on the basis of economic factors. It involves the elimination of glaring inequalities in wealth, income and property.

A combination of social justice and economic justice denotes what is known as 'distributive justice'.

Political justice implies that all citizens should have equal political rights, equal access to all political offices and equal voice in the government.

Source: Indian Polity by Laxmikanth

**Q.5)** Consider the following statements with respect to Citizenship:

1. Articles 5 to 11 of the Constitution deals with Citizenship.
2. Constitution contains permanent and elaborate provisions related to Citizenship.

Which of the statements given above is/are correct?

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

**ANS: A**

**Explanation:** The Constitution deals with the citizenship from Articles 5 to 11 under Part II. However, it contains neither any permanent nor any elaborate provisions in this regard. It only identifies the persons who became citizens of India at its commencement (i.e., on January 26, 1950).

It does not deal with the problem of acquisition or loss of citizenship subsequent to its commencement. It empowers the Parliament to enact a law to provide for such matters and any other matter relating to citizenship.

Accordingly, the Parliament has enacted the Citizenship Act, 1955, which has been amended in 1957, 1960, 1985, 1986, 1992, 2003, 2005, 2015 and 2019.

Source: Indian Polity by Laxmikanth

**Q.6)** Consider the following statement about the state of Sikkim:

1. Till 1947, Sikkim was an Indian princely state ruled by Chogyal.
2. In 1947, after the lapse of British paramountcy, Sikkim became a 'protectorate' of India.
3. The 35th Constitutional Amendment Act (1975) was enacted to make Sikkim a full-fledged state of the Indian Union (the 22nd state).

Which of the statements given above is/are correct?

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

**ANS: A**

**Explanation:** Till 1947, Sikkim was an Indian princely state ruled by Chogyal. In 1947, after the lapse of British paramountcy, Sikkim became a 'protectorate' of India, whereby the Indian Government assumed responsibility for the defence, external affairs and communications of Sikkim. In 1974, Sikkim expressed its desire for greater association with India.

Accordingly, the 35<sup>th</sup> Constitutional Amendment Act (1974) was enacted by the parliament. This amendment introduced a new class of statehood under the constitution by conferring on Sikkim the status of an 'associate state' of the Indian Union. For this purpose, a new Article 2A and a new schedule (Tenth Schedule containing the terms and conditions of association) were inserted in the Constitution. This experiment, however, did not last long as it could not fully satisfy the aspirations of the people of Sikkim.

In a referendum held in 1975, they voted for the abolition of the institution of Chogyal and Sikkim becoming an integral part of India. Consequently, the 36th Constitutional Amendment Act (1975) was enacted to make Sikkim a full-fledged state of the Indian Union (the 22nd state). This amendment amended the First and the Fourth Schedules to the Constitution and added a new Article 371-F to provide for certain special provisions with

respect to the administration of Sikkim. It also repealed Article 2A and the Tenth Schedule that were added by the 35th Amendment Act of 1974.

Source: Indian Polity by Laxmikanth

**Q.7)** Consider the following statements:

1. Citizens are full members of the Indian State and owe allegiance to it. They enjoy all civil and political rights.
2. In India, only a citizen by birth and not a naturalised citizen is eligible for the office of President.

Which of the statements given above is/are correct?

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

**ANS: A**

**Explanation:** Like any other modern state, India has two kinds of people—citizens and aliens. Citizens are full members of the Indian State and owe allegiance to it. They enjoy all civil and political rights. Aliens, on the other hand, are the citizens of some other state and hence, do not enjoy all the civil and political rights. They are of two categories—friendly aliens or enemy aliens.

Friendly aliens are the subjects of those countries that have cordial relations with India. Enemy aliens, on the other hand, are the subjects of that country that is at war with India. They enjoy lesser rights than the friendly aliens, eg, they do not enjoy protection against arrest and detention (Article 22).

Along with the above rights, the citizens also owe certain duties towards the Indian State, as for example, paying taxes, respecting the national flag and national anthem, defending the country and so on.

In India both a citizen by birth as well as a naturalised citizen is eligible for the office of President while in USA, only a citizen by birth and not a naturalised citizen is eligible for the office of President.

Source: Indian Polity by Laxmikanth

**Q.8)** Which of the following statement is correct about Article 1 of the Indian Constitution?

- a) Article 1 has only used the name India.
- b) India is Union of States
- c) India is a Federation of States
- d) Preamble used the term India while Article 1 used the term Bharat.

**ANS: B**

**Explanation:** Article 1 describes India, that is, Bharat as a 'Union of States' rather than a 'Federation of States'. This provision deals with two things: one, name of the country, and two, type of polity.

There was no unanimity in the Constituent Assembly with regard to the name of the country. Some members suggested the traditional name (Bharat) while other advocated the modern name (India). Hence, the Constituent Assembly had to adopt a mix of both ('India, that is, Bharat')

Secondly, the country is described as 'Union' although its Constitution is federal in structure. According to Dr B R Ambedkar, the phrase 'Union of States' has been preferred to 'Federation of States' for two reasons: one, the Indian Federation is not the result of an agreement among the states like the American Federation; and two, the states have no right



to secede from the federation. The federation is an Union because it is indestructible. The country is an integral whole and divided into different states only for the convenience of administration.

Source: Indian Polity by Laxmikanth

**Q.9)** Which of the following commission/committee accepted language to be basis for state reorganization?

- a) Dhar Commission
- b) JVP Committee
- c) Fazl Ali Commission
- d) None of the above

**ANS: C**

**Explanation:** The integration of princely states with the rest of India has purely an ad hoc arrangement. There has been a demand from different regions, particularly South India, for reorganisation of states on linguistic basis. Accordingly, in June 1948, the Government of India appointed the Linguistic Provinces Commission under the chairmanship of S K Dhar to examine the feasibility of this. The commission submitted its report in December 1948 and recommended the reorganisation of states on the basis of administrative convenience rather than linguistic factor.

This created much resentment and led to the appointment of another Linguistic Provinces Committee by the Congress in December 1948 itself to examine the whole question afresh. It consisted of Jawaharlal Nehru, Vallabhbhai Patel and Pattabhi Sitaramayya and hence, was popularly known as JVP Committee. It submitted its report in April 1949 and formally rejected language as the basis for reorganization of states.

The creation of Andhra state intensified the demand from other regions for creation of states on linguistic basis. This forced the Government of India to appoint (in December 1953) a three-member States Reorganisation Commission under the chairmanship of Fazl Ali to re-examine the whole question. Its other two members were K M Panikkar and H N Kunzru. It submitted its report in September 1955 and broadly accepted language as the basis of reorganisation of states. But, it rejected the theory of 'one language- one state'.

Source: Indian Polity by Laxmikanth

**Q.10)** Which of the following term was not in the original Preamble of India?

- a) Integrity
- b) Unity
- c) Democratic
- d) Republic

**ANS: A**

**Explanation:** The Preamble in its present form reads:

WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a SOVEREIGN

SOCIALIST SECULAR DEMOCRATIC REPUBLIC and to secure to all its citizens:

JUSTICE, social, economic and political;

LIBERTY of thought, expression, belief, faith and worship;

EQUALITY of status and of opportunity; and to promote among them all

FRATERNITY assuring the dignity of the individual and the [unity and integrity of the Nation];

IN OUR CONSTITUENT ASSEMBLY this twentysixth day of November, 1949, do HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.

**PRELIMS MARATHON COMPILATION FOR THE MONTH OF JANUARY (SECOND WEEK), 2021**

The Preamble to the Indian Constitution is based on the 'Objectives Resolution', drafted and moved by Pandit Nehru, and adopted by the Constituent Assembly. It has been amended by the 42nd Constitutional Amendment Act (1976), which added three new words: socialist, secular and integrity.

Source: Indian Polity by Laxmikanth

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## *Fundamental Rights*

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**Q.1)** Consider the following statements:

1. The original constitution consists of six fundamental rights.
2. The Fundamental Rights are guaranteed by the government to all persons without any discrimination.

Which of the statements given above is/are correct?

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

**ANS: D**

**Explanation:** The Fundamental Rights are enshrined in Part III of the Constitution from Articles 12 to 35.

- In this regard, the framers of the Constitution derived inspiration from the Constitution of USA (i.e., Bill of Rights).
- The **Fundamental Rights are guaranteed by the Constitution** to all persons without any discrimination.
- They uphold the equality of all individuals, the dignity of the individual, the larger public interest and unity of the nation.
- **Originally, the Constitution provided for seven Fundamental Rights.**

Source: Laxmikanth.

**Q.2)** Consider the following statements regarding right to property:

1. It was deleted from the list of Fundamental Rights by the 42<sup>nd</sup> Amendment Act, 1976.
2. It is made a legal right under Article 300-A in Part XII of the Constitution.

Which of the statements given above is/are correct?

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

**ANS: B**

**Explanation:** The right to property was deleted from the list of Fundamental Rights by the 44th Amendment Act, 1978.

- It is made a legal right under Article 300-A in Part XII of the Constitution.
- So at present, there are only six Fundamental Rights.

Source: Laxmikanth.

**Q.3)** Which of the following is/are the features of Fundamental Rights?

1. Total fundamental rights are available to both citizens and foreigners.
2. They are absolute and qualified in nature.
3. All of them are available against the arbitrary action of the state.

Select the correct answer using the code given below:

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

**ANS: D**

**Explanation:** The Fundamental Rights guaranteed by the Constitution are characterized by the following:

- Some of them are available only to the citizens while others are available to all persons whether citizens, foreigners or legal persons like corporations or companies.
- They are not absolute but qualified. The state can impose reasonable restrictions on them. However, whether such restrictions are reasonable or not is to be decided by the courts.
- Thus, they strike a balance between the rights of the individual and those of the society as a whole, between individual liberty and social control.
- All of them are available against the arbitrary action of the state. However, some of them are also available against the action of private individuals.
- Some of them are negative in character, that is, place limitations on the authority of the State, while others are positive in nature, conferring certain privileges on the persons.

Source: Laxmikanth.

**Q.4)** Which of the following statement is NOT correct about Fundamental Rights?

- a) They are justiciable, allowing persons to move the courts for their enforcement.
- b) Aggrieved person can directly go to the Supreme Court for their violation or enforcement.
- c) Parliament can curtail or repeal fundamental rights by an ordinary act.
- d) They can be suspended during the operation of a National Emergency except the rights guaranteed by Articles 20 and 21.

**ANS: C**

**Explanation:** Fundamental Rights are justiciable, allowing persons to move the courts for their enforcement, if and when they are violated.

- They are defended and guaranteed by the Supreme Court. Hence, the aggrieved person can directly go to the Supreme Court, not necessarily by way of appeal against the judgment of the high courts.
- They are not sacrosanct or permanent. The Parliament can curtail or repeal them but only by a constitutional amendment act and not by an ordinary act. Moreover, this can be done without affecting the 'basic structure' of the Constitution.
- They can be suspended during the operation of a National Emergency except the rights guaranteed by Articles 20 and 21.

Source: Laxmikanth.

**Q.5)** Article 12 has defined the term "State" for the purposes of Part III. Which of the following is/are come under the definition of State?

1. Executive and Legislative organs of Union and State government.
2. Statutory authorities.
3. Civil society.

Select the correct answer using the code given below:

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

**ANS: B**

**Explanation:** The term 'State' has been used in different provisions concerning the fundamental rights. Hence, Article 12 has defined the term for the purposes of Part III. According to it, the State includes the following:

- Government and Parliament of India, that is, executive and legislative organs of the Union government.
- Government and legislature of states, that is, executive and legislative organs of state government.
- All local authorities, which is, municipalities, panchayats, district boards, improvement trusts, etc.
- All other authorities, that is, statutory or non-statutory authorities like LIC, ONGC, SAIL, etc.
- Thus, State has been defined in a wider sense so as to include all its agencies. It is the actions of these agencies that can be challenged in the courts as violating the Fundamental Rights.

Source: Laxmikanth.

**Q.6)** Which of the following is NOT part of Right to equality?

- a) Equality before law and equal protection of laws.
- b) Prohibition of traffic in human beings and forced labour.
- c) Abolition of untouchability and prohibition of its practice.
- d) Equality of opportunity in matters of public employment.

**ANS: B**

**Explanation:** Right to equality (Articles 14–18):

- Equality before law and equal protection of laws (Article 14).
- Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth (Article 15).
- Equality of opportunity in matters of public employment (Article 16).
- Abolition of untouchability and prohibition of its practice (Article 17).
- Abolition of titles except military and academic (Article 18).

Source: Laxmikanth.

**Q.7)** Which of the following Fundamental Right is NOT available to Foreigners?

- a) Equality before law and equal protection of laws.
- b) Protection in respect of conviction for offences.
- c) Right to elementary education.
- d) Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth.

**ANS: D**

**Explanation:**

FR available only to citizens and not to foreigners	FR available to both citizens and foreigners (except enemy aliens)
1. Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth (Article 15).	1. Equality before law and equal protection of laws (Article 14).
2. Equality of opportunity in matters of public employment (Article 16).	2. Protection in respect of conviction for offences (Article 20).
3. Protection of six rights regarding freedom of : (i) speech and expression, (ii) assembly, (iii) association, (iv) movement, (v) residence, and (vi) profession (Article 19).	3. Protection of life and personal liberty (Article 21).
4. Protection of life and personal liberty (Article 21).	4. Right to elementary education (Article 21A).



Source: Laxmikanth.

**Q.8)** “No member of Parliament shall be liable to any proceedings in any court in respect of anything said or any vote given by him in Parliament or any committee thereof” – describes in which of the following Article of Indian Constitution?

- a) Article 102
- b) Article 103
- c) Article 104
- d) Article 105

**ANS: D**

**Explanation:** No Member of Parliament shall be liable to any proceedings in any court in respect of anything said or any vote given by him in Parliament or any committee thereof (Article 105).

Source: Laxmikanth.

**Q.9)** Which Article of Indian Constitution scope and extent was tested by Supreme Court in famous Mandal case?

- a) Article 15
- b) Article 16
- c) Article 21
- d) Article 25

**ANS: B**

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

Source: Laxmikanth.

**Q.10)** Which constitutional amendment act added article 21 – A to fundamental rights?

- a) 61<sup>st</sup> constitutional amendment act
- b) 65<sup>th</sup> constitutional amendment act
- c) 81<sup>st</sup> constitutional amendment act
- d) 86<sup>th</sup> constitutional amendment act

**ANS: D**

**Explanation:** Article 21 A declares that the State shall provide free and compulsory education to all children of the age of six to fourteen years in such a manner as the State may determine.

- Thus, this provision makes only elementary education a Fundamental Right and not higher or professional education.
- This provision was added by the 86th Constitutional Amendment Act of 2002.

Source: Laxmikanth.

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## *Directive Principles and Fundamental Duties*

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**Q.1)** “Instrument of Instructions” is related to which of the following?

- a) Fundamental Rights
- b) Fundamental duties
- c) Directive Principles of State Policy
- d) Both A and C

**ANS: C**

**Explanation:** The Directive Principles resemble the ‘Instrument of Instructions’ enumerated in the Government of India Act of 1935.

- In the words of Dr. B.R. Ambedkar, ‘the Directive Principles are like the instrument of instructions, which were issued to the Governor-General and to the Governors of the colonies of India by the British Government under the Government of India Act of 1935.
- What is called Directive Principles is merely another name for the instrument of instructions.
- The only difference is that they are instructions to the legislature and the executive’.

Source: Laxmikanth.

**Q.2)** Which of the following provisions of Indian Constitution seeks to establish economic and social democracy in the country?

- a) Fundamental Rights
- b) Directive Principles of State Policy
- c) Fundamental duties
- d) Preamble

**ANS: B**

**Explanation:** The Directive Principles constitute a very comprehensive economic, social and political programme for a modern democratic State.

- They aim at realising the high ideals of justice, liberty, equality and fraternity as outlined in the Preamble to the Constitution.
- They embody the concept of a ‘welfare state’ and not that of a ‘police state’, which existed during the colonial era.
- In brief, they seek to establish economic and social democracy in the country.

Source: Laxmikanth.

**Q.3)** Which of the following provisions of Indian Constitution are fundamental in the governance of the country?

- a) Fundamental Rights
- b) Emergency Provisions
- c) Directive Principles of State Policy
- d) Constitutional bodies

**ANS: C**

**Explanation:** The Constitution (Article 37) itself says that these principles are fundamental in the governance of the country and it shall be the duty of the State to apply these principles in making laws.

**Q.4)** “To promote the welfare of the people by securing a social order permeated by justice and to minimize inequalities in income, status, facilities and opportunities” – is described in which of the following Article?

- a) Article 36
- b) Article 37
- c) Article 38
- d) Article 42

**ANS: C**

**Explanation:** To promote the welfare of the people by securing a social order permeated by justice—social, economic and political— and to minimise inequalities in income, status, facilities and opportunities (Article 38).

Source: Laxmikanth.

**Q.5)** Which of the following provisions are covered under Article 39 of Directive Principles of State policy?

- 1. Right to adequate means of livelihood for all citizens.
- 2. Prevention of concentration of wealth and means of production.
- 3. To secure the right to work, to education and to public assistance in cases of unemployment.

Select the correct answer using the code given below:

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

**ANS: B**

**Explanation:** To secure

- the right to adequate means of livelihood for all citizens;
- the equitable distribution of material resources of the community for the common good;
- prevention of concentration of wealth and means of production;
- equal pay for equal work for men and women;
- preservation of the health and strength of workers and children against forcible abuse; and
- opportunities for healthy development of children (Article 39).

Source: Laxmikanth.

**Q.6)** “To organise village panchayats and endow them with necessary powers and authority to enable them to function as units of self-government” – is related to which of the following?

- a) Article 40
- b) Article 44
- c) Article 46
- d) Article 51

**ANS: A**

**Explanation:** To organise village panchayats and endow them with necessary powers and authority to enable them to function as units of self-government (Article 40).

Source: Laxmikanth.

**Q.7)** Which of the following directive principles is/are added under 42<sup>nd</sup> constitutional Amendment Act, 1976?

1. To secure opportunities for healthy development of children.
2. To promote equal justice and to provide free legal aid to the poor.
3. To protect and improve the environment and to safeguard forests and wild life.

Select the correct answer using the code given below:

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

**ANS: D**

**Explanation:** The 42nd Amendment Act of 1976 added four new Directive Principles to the original list. They require the State:

- To secure opportunities for healthy development of children (Article 39).
- To promote equal justice and to provide free legal aid to the poor (Article 39 A).
- To take steps to secure the participation of workers in the management of industries (Article 43 A).
- To protect and improve the environment and to safeguard forests and wild life (Article 48 A).

Source: Laxmikanth.

**Q.8)** Which of the following committee recommended the separate chapter for fundamental duties in Indian constitution?

- a) Sarkaria Committee
- b) 2<sup>nd</sup> Administrative reforms commission
- c) Swaran Singh committee
- d) Punchhi Commission

**ANS: C**

**Explanation:** In 1976, the Congress Party set up the Sardar Swaran Singh Committee to make recommendations about fundamental duties, the need and necessity of which was felt during the operation of the internal emergency (1975–1977).

The committee recommended the inclusion of a separate chapter on fundamental duties in the Constitution.

Source: Laxmikanth.

**Q.9)** “Article 51A” of Indian Constitution is associated with?

- a) Ratification of International Conventions
- b) Wild Life Protection
- c) Fundamental Duties
- d) None

**ANS: C**

**Explanation:** The Congress Government at Centre accepted these recommendations and enacted the 42nd Constitutional Amendment Act in 1976.

- This amendment added a new part, namely, Part IVA to the Constitution.
- This new part consists of only one Article, that is, Article 51A which for the first time specified a code of ten fundamental duties of the citizens.

Source: Laxmikanth.

**Q.10)** “Champakam Dorairajan” case was associated with which of the following?

- a) Dispute between Fundamental Rights and Directive Principles of State Policy.
- b) Dispute between Fundamental Rights and Fundamental Duties.
- c) Dispute between Directive Principles of State Policy and Fundamental Duties.
- d) Dispute between Directive Principles of State Policy and Preamble.

**ANS: A**

**Explanation:** The justiciability of Fundamental Rights and non-justiciability of Directive Principles on the one hand and the moral obligation of State to implement Directive Principles (Article 37) on the other hand have led to a conflict between the two since the commencement of the Constitution.

In the Champakam Dorairajan case (1951), the Supreme Court ruled that in case of any conflict between the Fundamental Rights and the Directive Principles, the former would prevail.

Source: Laxmikanth.



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## *Amendment of Constitution, Basic Structure of the Constitution, Emergency Provisions*

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**Q.1)** Consider the following provisions:

1. Directive Principles of State Policy
2. Election of the President and its manner
3. Salaries and allowances of the members of Parliament

Which of the provisions given above is/are amended by a special majority of Parliament?  
Select the correct answer using the codes given below:

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

**ANS: B**

**Explanation:** The majority of the provisions in the Constitution need to be amended by a special majority of the Parliament, that is, a majority (that is, more than 50 per cent) of the total membership of each House and a majority of two-thirds of the members of each House present and voting. The expression 'total membership' means the total number of members comprising the House irrespective of fact whether there are vacancies or absentees.

'Strictly speaking, the special majority is required only for voting at the third reading stage of the bill but by way of abundant caution the requirement for special majority has been provided for in the rules of the Houses in respect of all the effective stages of the bill'.

The provisions which can be amended by this way includes:

1. Fundamental Rights;
2. Directive Principles of State Policy; and
3. All other provisions which are not covered by the first and third categories.

Source: Indian Polity by Laxmikanth

**Q.2)** Consider the following statements with respect to the procedure for the amendment of the Constitution:

1. An amendment of the Constitution can be initiated in either House of Parliament or the state legislature.
2. The bill cannot be introduced by a private member.

Which of the statements given above is/are correct?

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

**ANS: D**

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

1. An amendment of the Constitution can be initiated only by the introduction of a bill for the purpose in either House of Parliament and not in the state legislatures.

2. The bill can be introduced either by a minister or by a private member and does not require prior permission of the president.
3. The bill must be passed in each House by a special majority, that is, a majority (that is, more than 50 per cent) of the total membership of the House and a majority of two-thirds of the members of the House present and voting.
4. Each House must pass the bill separately. In case of a disagreement between the two Houses, there is no provision for holding a joint sitting of the two Houses for the purpose of deliberation and passage of the bill.
5. If the bill seeks to amend the federal provisions of the Constitution, it must also be ratified by the legislatures of half of the states by a simple majority, that is, a majority of the members of the House present and voting.
6. After duly passed by both the Houses of Parliament and ratified by the state legislatures, where necessary, the bill is presented to the president for assent.
7. The president must give his assent to the bill. He can neither withhold his assent to the bill nor return the bill for reconsideration of the Parliament.
8. After the president's assent, the bill becomes an Act (i.e., a constitutional amendment act) and the Constitution stands amended in accordance with the terms of the Act.

Source: Indian Polity by Laxmikanth

**Q.3)** Consider the following statement about President's Rule in India:

1. Article 356 and Article 365 mentions the grounds of proclamation of President's Rule in India.
2. The presidential proclamation imposing President's Rule is not subjected to judicial review.

Which of the statements given above is/are **Not** correct?

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

**ANS: B**

**Explanation:** Article 355 imposes a duty on the Centre to ensure that the government of every state is carried on in accordance with the provisions of the Constitution. It is this duty in the performance of which the Centre takes over the government of a state under Article 356 in case of failure of constitutional machinery in state. This is popularly known as 'President's Rule'. It is also known as 'State Emergency' or 'Constitutional Emergency'.

The President's Rule can be proclaimed under Article 356 on two grounds —one mentioned in Article 356 itself and another in Article 365.

The 38th Amendment Act of 1975 made the satisfaction of the President in invoking Article 356 final and conclusive which could not be challenged in any court on any ground. But, this provision was subsequently deleted by the 44th Amendment Act of 1978 implying that the satisfaction of the President is not beyond judicial review.

In Bommai case (1994), the Supreme Court said that imposition of President's Rule in a state under Article 356 is subject to judicial review.

Source: Indian Polity by Laxmikanth

**Q.4)** Which of the following Amendments comes under Article 368?

1. Simple Majority
2. Special Majority
3. Special Majority with half of the states ratification

Select the correct answer using the codes given below:

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

**ANS: C**

**Explanation:** Article 368 provides for two types of amendments, that is, by a special majority of Parliament and also through the ratification of half of the states by a simple majority. But, some other articles provide for the amendment of certain provisions of the Constitution by a simple majority of Parliament, that is, a majority of the members of each House present and voting (similar to the ordinary legislative process). Notably, these amendments are not deemed to be amendments of the Constitution for the purposes of Article 368.

Source: Indian Polity by Laxmikanth

**Q.5)** In which of the following cases Supreme Court used the power of Judicial Review?

- 1. Bank Nationalisation case
- 2. Keshavananda Bharati Case
- 3. National Judicial Appointments Commission (NJAC) Act, 2014

Select the correct answer using the codes given below:

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

**ANS: D**

**Explanation:** The Supreme Court used the power of judicial review in various cases, as for example, the Golaknath case (1967), the Bank Nationalisation case (1970), the Privy Purses Abolition case (1971), the Kesavananda Bharati case (1973), the Minerva Mills case (1980), and so on. In 2015, the Supreme Court declared both the 99th Constitutional Amendment, 2014 and the National Judicial Appointments Commission (NJAC) Act, 2014 as unconstitutional and null and void.

Source: Indian Polity by Laxmikanth

**Q.6)** Which of the following consider statements are Basic Structure of the Indian Constitution?

- 1. Secular character of the Constitution
- 2. Federal character of the Constitution
- 3. Welfare state (socio-economic justice)

Select the correct answer using the codes given below:

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

**ANS: D**

**Explanation:** The present position is that the Parliament under Article 368 can amend any part of the Constitution including the Fundamental Rights but without affecting the 'basic structure' of the Constitution. However, the Supreme Court is yet to define or clarify as to what constitutes the 'basic structure' of the Constitution. From the various judgments, the

following have emerged as 'basic features' of the Constitution or elements / components / ingredients of the 'basic structure' of the constitution:

1. Supremacy of the Constitution
2. Sovereign, democratic and republican nature of the Indian polity
3. Secular character of the Constitution
4. Separation of powers between the legislature, the executive and the judiciary
5. Federal character of the Constitution
6. Unity and integrity of the nation
7. Welfare state (socio-economic justice)
8. Judicial review
9. Freedom and dignity of the individual

Source: Indian Polity by Laxmikanth

**Q.7)** Which of the following directions given by centre on the proclamation of financial emergency?

1. To observe the specified canons of financial propriety.
2. To reduce the salaries and allowances of all class of persons serving in the state except the high court judges.
3. To reserve all money bills and other financial bills for the consideration of the President.

Select the correct answer using the codes given below:

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

**ANS: D**

**Explanation:** While the proclamation of financial emergency (under Article 360) is in operation, the Centre can give directions to the states:

- (i) to observe the specified canons of financial propriety;
- (ii) to reduce the salaries and allowances of all class of persons serving in the state (including the high court judges); and
- (iii) to reserve all money bills and other financial bills for the consideration of the President.

Source: Indian Polity by Laxmikanth

**Q.8)** Consider the following statements with respect to National Emergency (Article 352):

1. President proclaim a national emergency only after receiving a written recommendation from the cabinet
2. President can declare a national emergency only on the actual occurrence of war or external aggression

Which of the statements given above is/are correct?

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

**ANS: A**

**Explanation:** Under Article 352, the President can declare a national emergency when the security of India or a part of it is threatened by war or external aggression or armed rebellion. It may be noted that the president can declare a national emergency even before



the actual occurrence of war or external aggression or armed rebellion, if he is satisfied that there is an imminent danger.

The President, however, can proclaim a national emergency only after receiving a written recommendation from the cabinet. This means that the emergency can be declared only on the concurrence of the cabinet and not merely on the advice of the prime minister.

In 1975, the then Prime Minister, Indira Gandhi advised the president to proclaim emergency without consulting her cabinet. The cabinet was informed of the proclamation after it was made, as a fait accompli. The 44th Amendment Act of 1978 introduced this safeguard to eliminate any possibility of the prime minister alone taking a decision in this regard.

Source: Indian Polity by Laxmikanth

**Q.9)** The 'special majority provision' for every resolution approving the proclamation of emergency or its continuance was introduced by which of the following amendment act?

- a) 42nd Constitutional Amendment Act
- b) 44th Constitutional Amendment Act
- c) It was an original Constitutional provision
- d) 48th Constitutional Amendment Act

**ANS: B**

**Explanation:** Every resolution approving the proclamation of emergency or its continuance must be passed by either House of Parliament by a special majority that is, (a) a majority of the total membership of that house, and (b) a majority of not less than two-thirds of the members of that house present and voting.

This special majority provision was introduced by the 44th Amendment Act of 1978. Previously, such resolution could be passed by a simple majority of the Parliament.

Source: Indian Polity by Laxmikanth

**Q.10)** Consider the following statements with respect to suspension of fundamental rights under Article 359 of Indian Constitution:

- 1. Article 359 suspends Fundamental Rights under Article 19 for the entire duration of Emergency.
  - 2. Article 359 operates in case of both External Emergency as well as Internal Emergency.
- Which of the statements given above is/are correct?

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

**ANS: B**

**Explanation:** Article 358 is confined to Fundamental Rights under Article 19 only whereas Article 359 extends to all those Fundamental Rights whose enforcement is suspended by the Presidential Order.

Article 358 automatically suspends the fundamental rights under Article 19 as soon as the emergency is declared. On the other hand, Article 359 does not automatically suspend any Fundamental Right. It only empowers the president to suspend the enforcement of the specified Fundamental Rights.

Article 358 operates only in case of External Emergency (that is, when the emergency is declared on the grounds of war or external aggression) and not in the case of Internal Emergency (ie, when the Emergency is declared on the ground of armed rebellion). Article



359, on the other hand, operates in case of both External Emergency as well as Internal Emergency.

Article 358 suspends Fundamental Rights under Article 19 for the entire duration of Emergency while Article 359 suspends the enforcement of Fundamental Rights for a period specified by the president which may either be the entire duration of Emergency or a shorter period.

Source: Indian Polity by Laxmikanth

ForumIAS

## *Revision*

**Q.1)** Fazl Ali Commission identified which of the following factors that can be taken into account in any scheme of reorganization of states?

1. One-Language One-State
2. Preservation and strengthening of the unity and security of the country
3. Financial, economic and administrative considerations

Select the correct answer using the codes given below:

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

**ANS: C**

**Explanation:** The creation of Andhra state intensified the demand from other regions for creation of states on linguistic basis. This forced the Government of India to appoint (in December 1953) a three-member States Reorganisation Commission under the chairmanship of Fazl Ali to re-examine the whole question.

Its other two members were K M Panikkar and H N Kunzru. It submitted its report in September 1955 and broadly accepted language as the basis of reorganisation of states. But, it rejected the theory of 'one language- one state'.

Its view was that the unity of India should be regarded as the primary consideration in any redrawing of the country's political units. It identified four major factors that can be taken into account in any scheme of reorganisation of states:

- (a) Preservation and strengthening of the unity and security of the country.
- (b) Linguistic and cultural homogeneity.
- (c) Financial, economic and administrative considerations.
- (d) Planning and promotion of the welfare of the people in each state as well as of the nation as a whole.

Source: Indian Polity by Laxmikanth

**Q.2)** Consider the following statements regarding the "demand for constituent assembly":

1. In 1935 the communist party of India officially demanded a constituent assembly to frame the constitution of India.
2. In 1938, Subhash Chandra Bose declared that the constitution of free India must be framed without outside interference.
3. The constituent assembly elected on the basis of adult franchise.

Which of the statements given above is/are **Not** correct?

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

**ANS: C**

**Explanation:** It was in 1934 that the idea of constituent assembly for India was put forward for the first time by M. N. Roy, a pioneer of communist movement in India.

In 1935, the Indian National Congress (INC), for the first time, officially demanded a Constituent Assembly to frame the Constitution of India.

In 1938, Jawaharlal Nehru, on behalf the INC declared that 'the Constitution of free India must be framed, without outside interference, by a Constituent Assembly elected on the basis of adult franchise'.

The demand was finally accepted in principle by the British Government in what is known as the 'August Offer' of 1940.

Source: Indian Polity by Laxmikanth

**Q.3)** Consider the following statements with regard to "Objectives Resolution":

1. On December 13, 1946 Dr. B.R Ambedkar moved the historic 'Objectives Resolution' in the constituent assembly.
  2. Objectives Resolution modified version forms present Directive principles of state policy.
- Which of the statements given above is/are correct?

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

**ANS: D**

**Explanation:** On December 13, 1946, Jawaharlal Nehru moved the historic 'Objectives Resolution' in the Assembly. It laid down the fundamentals and philosophy of the constitutional structure. Resolution was unanimously adopted by the Assembly on January 22, 1947.

It influenced the eventual shaping of the constitution through all its subsequent stages. Its modified version forms the Preamble of the present constitution.

Source: Indian Polity by Laxmikanth

**Q.4)** Which article of the constitution of India deals with the India's foreign policy and promotes international peace and security?

- a) Article 51
- b) Article 50
- c) Article 49
- d) Article 48

**ANS: A**

**Explanation:** India's foreign policy aims at the promotion of international peace and security. Article 51 of the Constitution (Directive Principles of State Policy) directs the Indian State to promote international peace and security, maintain just and honorable relations between nations, foster respect for international law and treaty obligations, and encourage settlement of international disputes by arbitration.

Beside peace is necessary to promote the economic development of nations. Jawaharlal Nehru said: "Peace to us is not just a fervent hope; it is emergent necessity".

Source: Indian Polity by Laxmikanth

**Q.5)** The Constituent Assembly appointed a number of committees to deal with different tasks of constitution making. Consider the following pairs:

**Committee**

1. Union powers committee
2. Union constitution committee
3. Rules of procedure committee

**Headed by**

- Jawaharlal Nehru  
B R Ambedkar  
Sardar patel

Which of the above pairs is/are correctly matched?

- a) 1 only

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

**ANS: A**

**Explanation:** The Constituent Assembly appointed a number of committees to deal with different tasks of constitution-making. Out of these, eight were major committees and the others were minor committees. The names of these committees and their chairmen are given below:

Major Committees

1. Union Powers Committee – Jawaharlal Nehru
2. Union Constitution Committee – Jawaharlal Nehru
3. Provincial Constitution Committee – Sardar Patel
4. Drafting Committee – Dr. B.R. Ambedkar
5. Advisory Committee on Fundamental Rights, Minorities and Tribal and Excluded Areas – Sardar Patel. This committee had the following five sub-committees:
  - (a) Fundamental Rights Sub-Committee – J.B. Kripalani
  - (b) Minorities Sub-Committee – H.C. Mukherjee
  - (c) North-East Frontier Tribal Areas and Assam Excluded & Partially Excluded Areas Sub-Committee – Gopinath Bardoloi
  - (d) Excluded and Partially Excluded Areas (Other than those in Assam) Sub-Committee – A.V. Thakkar
  - (e) North-West Frontier Tribal Areas Sub-Committee
6. Rules of Procedure Committee – Dr. Rajendra Prasad
7. States Committee (Committee for Negotiating with States) – Jawaharlal Nehru
8. Steering Committee – Dr. Rajendra Prasad.

Source: Indian Polity by Laxmikanth

**Q.6)** Consider the following statements with respect to secular state of India:

1. The term 'secular' was added to the Preamble of the Indian Constitution by the 44th Constitutional Amendment Act of 1978.
2. The Preamble secures to all citizens of India liberty of belief, faith and worship.

Which of the statements given above is/are correct?

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

**ANS: B**

**Explanation:** The Constitution of India stands for a secular state. Hence, it does not uphold any particular religion as the official religion of the Indian State. The following provisions of the Constitution reveal the secular character of the Indian State:

- The term 'secular' was added to the Preamble of the Indian Constitution by the 42nd Constitutional Amendment Act of 1976.
- The Preamble secures to all citizens of India liberty of belief, faith and worship.
- The State shall not deny to any person equality before the law or equal protection of the laws (Article 14).
- The State shall not discriminate against any citizen on the ground of religion (Article 15).
- Equality of opportunity for all citizens in matters of public employment (Article 16).

- All persons are equally entitled to freedom of conscience and the right to freely profess, practice and propagate any religion (Article 25).
- Every religious denomination or any of its section shall have the right to manage its religious affairs (Article 26).
- No person shall be compelled to pay any taxes for the promotion of a particular religion (Article 27).

Source: Indian Polity by Laxmikanth

**Q.7)** Consider the following statements with respect to Fundamental Duties:

1. Fundamental Duties were added to constitution by 42nd constitutional amendment.
2. Under 42nd constitutional amendment total 11 duties were added to constitution.

Which of the statements given above is/are correct?

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

**ANS: A**

**Explanation:** The rights and duties of the citizens are correlative and inseparable, the original constitution contained only the fundamental rights and not the fundamental duties.

In other words, the framers of the Constitution did not feel it necessary to incorporate the fundamental duties of the citizens in the Constitution. However, they incorporated the duties of the State in the Constitution in the form of Directive Principles of State Policy.

Later in 1976, the fundamental duties of citizens were added in the Constitution. In 2002, one more Fundamental Duty was added.

Source: Indian Polity by Laxmikanth

**Q.8)** Which among the following provision of Indian constitution came into force on November 26, 1949 itself?

- a) Finance Commission
- b) Planning Commission
- c) Election commission
- d) National Human Rights Commission

**ANS: C**

**Explanation:** Some provisions of the Constitution pertaining to citizenship, elections, provisional parliament, temporary and transitional provisions, and short title contained in Articles 5, 6, 7, 8, 9, 60, 324, 366, 367, 379, 380, 388, 391, 392 and 393 came into force on November 26, 1949 itself. The remaining provisions (the major part) of the Constitution came into force on January 26, 1950. This day is referred to in the Constitution as the 'date of its commencement', and celebrated as the Republic Day.

January 26 was specifically chosen as the 'date of commencement' of the Constitution because of its historical importance. It was on this day in 1930 that Purna Swaraj day was celebrated, following the resolution of the Lahore Session (December 1929) of the INC. With the commencement of the Constitution, the Indian Independence Act of 1947 and the Government of India Act of 1935, with all enactments amending or supplementing the latter Act, were repealed. The Abolition of Privy Council Jurisdiction Act (1949) was however continued.

Source: Indian Polity by Laxmikanth



**Q.9)** Which of the following Articles are **NOT** Suspended during National Emergency?

- a) Articles 19 and 20
- b) Articles 20 and 21
- c) Articles 21 and 22
- d) Articles 22 and 23

**ANS: B**

**Explanation:** The Fundamental Rights are meant for promoting the idea of political democracy. They operate as limitations on the tyranny of the executive and arbitrary laws of the legislature. They are justiciable in nature, that is, they are enforceable by the courts for their violation.

The aggrieved person can directly go to the Supreme Court which can issue the writs of habeas corpus, mandamus, prohibition, certiorari and quo warranto for the restoration of his rights. However, the Fundamental Rights are not absolute and subject to reasonable restrictions.

Further, they are not sacrosanct and can be curtailed or repealed by the Parliament through a constitutional amendment act. They can also be suspended during the operation of a National Emergency except the rights guaranteed by Articles 20 and 21.

Source: Indian Polity by Laxmikanth

**Q.10)** In which of the following case, the Supreme Court held that 'the Indian Constitution is founded on the bedrock of the balance between the Fundamental Rights and the Directive Principles'?

- a) Keshavananda Bharathi Case 1973
- b) Menaka Gandhi Case 1978
- c) Minerva Mills Case 1980
- d) None of the above

**ANS: C**

**Explanation:** In the Minerva Mills case (1980), the Supreme Court held that 'the Indian Constitution is founded on the bedrock of the balance between the Fundamental Rights and the Directive Principles'.

Source: Indian Polity by Laxmikanth