

ForumIAS

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Prelims Marathon

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HISTORY
ECONOMICS
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Indian Constitution: Historical Pinning's & Features

Q.1) Consider the following statements regarding "regulating act 1773":

1. It designated the Governor of Bengal as the Governor General of Bengal.
2. The first such Governor General was Lord Warren Hastings.

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: C

Explanation: The features of "Regulating Act of 1773" are:

- It designated the Governor of Bengal as the 'Governor General of Bengal' and created an Executive Council of four members to assist him.
- The first such Governor General was Lord Warren Hastings.

Source: Laxmikanth

Q.2) Which of the following act provided for the establishment of a Supreme Court at Calcutta?

- a) Regulating act 1773
- b) Pitts India act 1784
- c) Regulating 1793
- d) Settlement act 1781

ANS: A

Explanation: Regulating act of 1773 provided for the establishment of a Supreme Court at Calcutta (1774) comprising one chief justice and three other judges.

Source: Laxmikanth

Q.3) Which of the following was/were feature/s of "Pitt's India Act 1784"?

1. It distinguished between the commercial and political functions of the Company.
2. It created a new body called Board of Control to manage the political affairs.
3. It empowered the Board of Control to supervise and direct all operations of the civil and military government or revenues of the British possessions in India.

How many of the statements given above are correct?

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

ANS: C

Explanation: The features of Pitt's India Act, 1784 were as follows:

- It distinguished between the commercial and political functions of the Company.
- It allowed the Court of Directors to manage the commercial affairs, but created a new body called Board of Control to manage the political affairs. Thus, it established a system of double government.
- It empowered the Board of Control to supervise and direct all operations of the civil and military government or revenues of the British possessions in India.

Source: Laxmikanth

Q.4) Consider the following statements regarding “regulating act of 1793”:

1. It gave the Governor-General more powers and control over the governments of the subordinate Presidencies of Bombay and Madras.
2. It extended the trade monopoly of the Company in India for a period of twenty years.

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: C

Explanation: Charter Act of 1793: The features of Act were as follows:

- It extended the overriding power given to Lord Cornwallis over his council, to all future Governor-Generals and Governors of Presidencies.
- It gave the Governor-General more powers and control over the governments of the subordinate Presidencies of Bombay and Madras.
- It extended the trade monopoly of the Company in India for another period of twenty years.

Source: Laxmikanth

Q.5) Consider the following statements regarding “charter act of 1813”:

1. It allowed the Christian missionaries to come to India for the purpose of enlightening the people.
2. It authorized the Local Governments in India to impose taxes on persons.

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: C

Explanation: Charter Act of 1813: The features of the act were as follows:

- It allowed the Christian missionaries to come to India for the purpose of enlightening the people.
- It provided for the spread of western education among the inhabitants of the British territories in India.
- It authorized the Local Governments in India to impose taxes on persons. They could also punish the persons for not paying taxes.

Source: Laxmikanth

Q.6) Which of the following act made the Governor-General of Bengal as the Governor General of India?

- a) Pitt’s India act 1784
- b) Regulating act 1793
- c) Charter act 1813
- d) Charter act 1833

ANS: D

Explanation: Charter act of 1833 made the Governor-General of Bengal as the Governor General of India and vested in him all civil and military powers.

Thus, the act created, for the first time, Government of India having authority over the entire territorial area possessed by the British in India.

Source: Laxmikanth

Q.7) Who among the following was the first Governor-General of India?

- a) Lord Warren Hastings
- b) Lord Hastings
- c) Lord Cornwallis
- d) Lord William Bentinck

ANS: D

Explanation: Lord William Bentinck was the first Governor-General of India.

Source: Laxmikanth

Q.8) Consider the following statements regarding "charter act 1833":

1. The Governor-General of India was given exclusive legislative powers for the entire British India.
2. It attempted to introduce a system of open competition for selection of civil servants.

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: C

Explanation: The features of charter act 1833 were as follows:

- It deprived the Governor of Bombay and Madras of their legislative powers.
- The Governor-General of India was given exclusive legislative powers for the entire British India.
- The laws made under the previous acts were called as Regulations, while laws made under this act were called as Acts.
- The Charter Act of 1833 attempted to introduce a system of open competition for selection of civil servants and stated that the Indians should not be debarred from holding any place, office and employment under the Company.

Source: Laxmikanth

Q.9) Which of the following act known as Morley-Minto Reforms?

- a) Government of India Act of 1858
- b) Indian Councils Act of 1861
- c) Indian Councils Act of 1891
- d) Indian Councils Act of 1909

ANS: D

Explanation: Indian Councils Act of 1909: This Act is also known as Morley-Minto Reforms (Lord Morley was the then Secretary of State for India and Lord Minto was the then Viceroy of India).

Source: Laxmikanth

Q.10) Who among the following was the first person to forward the idea of a Constituent Assembly for India?

- a) Bal Gangadhar Tilak
- b) Sardar Vallabhai Patel
- c) M N Roy
- d) DR B R Ambedkar

ANS: C

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

Source: Laxmikanth

The Preamble, Union Territory & Citizenship

Q.1) Consider the following statements regarding “Constituent Assembly”:

1. It has representation from only British India.
2. 296 seats were allotted to British India.

Which of the statements given above is/are correct?

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

ANS: B

Explanation: The Constituent Assembly was constituted in November 1946 under the scheme formulated by the Cabinet Mission Plan.

- The total strength of the Constituent Assembly was to be 389. Of these, 296 seats were to be allotted to British India and 93 seats to the princely states.
- Out of 296 seats allotted to the British India, 292 members were to be drawn from the eleven governors’ provinces and four from the four Chief Commissioners’ provinces, one from each.

Source: Laxmikanth

Q.2) Which of the following committee was headed by “Sardar Vallabhai Patel”?

- a) Union Powers Committee
- b) Union Constitution Committee
- c) Provincial Constitution Committee
- d) Drafting Committee

ANS: C

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.

- Union Powers Committee - Jawaharlal Nehru
- Union Constitution Committee -Jawaharlal Nehru
- Provincial Constitution Committee - Sardar Patel
- Drafting Committee - Dr. B.R. Ambedkar
- Advisory Committee on Fundamental Rights, Minorities and Tribal and Excluded Areas - Sardar Patel.

Source: Laxmikanth

Q.3) Consider the following statements:

1. The Constitution as adopted on November 26, 1949, contained a Preamble, 395 Articles and 8 Schedules.
2. The Preamble was enacted after the entire Constitution was enacted.

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: C

Explanation: The Constitution as adopted on November 26, 1949, contained a Preamble, 395 Articles and 8 Schedules. The Preamble was enacted after the entire Constitution was already enacted.

Source: Laxmikanth

Q.4) Which of the following Constitution was the first to begin with a Preamble?

- a) Irish
- b) American
- c) Spanish
- d) German

ANS: B

Explanation: The American Constitution was the first to begin with a Preamble. Many countries, including India, followed this practice.

Source: Laxmikanth

Q.5) Consider the following statements:

1. The Preamble contains the summary or essence of the Constitution.
2. The Preamble to the Indian Constitution is based on the Objectives Resolution.

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: C

Explanation: 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.'
- The Preamble to the Indian Constitution is based on the 'Objectives Resolution', drafted and moved by Pandit Nehru, and adopted by the Constituent Assembly.

Source: Laxmikanth

Q.6) Which of the following Constitutional amendment act added three new words – Socialist, Secular and Integrity?

- a) First Constitutional amendment
- b) Seventh Constitutional amendment
- c) Twenty fourth Constitutional amendment
- d) Forty second Constitutional amendment

ANS: D

Explanation: The Preamble has been amended by the 42nd Constitutional Amendment Act (1976), which added three new words–Socialist, Secular and Integrity.

Source: Laxmikanth

Q.7) Consider the following statements:

- 1. India can either acquire a foreign territory or cede a part of its territory in favor of a foreign state.
- 2. The Indian Constitution embodies the positive concept of secularism.

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: C

Explanation: Being a sovereign state, India can either acquire a foreign territory or cede a part of its territory in favor of a foreign state.

The Indian Constitution embodies the positive concept of secularism i.e., all religions in our country (irrespective of their strength) have the same status and support from the state.

Source: Laxmikanth

Q.8) Which of the following is/are device/s of direct democracy?

- 1. Referendum
- 2. Initiative
- 3. Plebiscite

How many of the statements given above are correct?

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

ANS: C

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.

Source: Laxmikanth

Q.9) The “Ideal of Justice” was taken from which of the following source?

- a) French revolution
- b) German constitution
- c) Russian revolution
- d) American civil war

ANS: C

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.

The ideal of justice–social, economic and political–has been taken from the Russian Revolution (1917).

Source: Laxmikanth

Q.10) Consider the following statements:

1. The Constitution promotes the feeling of fraternity by the system of single citizenship.
2. Article 50 says that, every citizen of India has the duty to promote harmony and the spirit of common brotherhood amongst all the people of India.

Which of the statements given above is/are correct?

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

ANS: A

Explanation: Fraternity means a sense of brotherhood.

- The Constitution promotes this feeling of fraternity by the system of single citizenship.
- Also, the Fundamental Duties (Article 51-A) say that it shall be the duty of every citizen of India to promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic, regional or sectional diversities.

Source: Laxmikanth

Fundamental Rights

Q.1) Consider the following statements:

1. Part IV of Indian constitution deals with fundamental rights.
2. Fundamental rights are non – justifiable in nature.

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.

- Part III of the Constitution is rightly described as the Magna Carta of India.
- It contains a very long and comprehensive list of ‘justifiable’ Fundamental Rights.

Source: Laxmikanth

Q.2) Consider the following statements regarding “fundamental rights”:

1. They prevent the establishment of an authoritarian and despotic rule in the country.
2. They are guaranteed by the Constitution 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: C

Explanation: 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.
- The Fundamental Rights are meant for promoting the ideal of political democracy.
- They prevent the establishment of an authoritarian and despotic rule in the country, and protect the liberties and freedoms of the people against the invasion by the State.

Source: Laxmikanth

Q.3) The right to property was deleted from the list of Fundamental Rights by?

- a) First Constitutional amendment
- b) Seventh Constitutional amendment
- c) Forty second Constitutional amendment
- d) Forty fourth Constitutional amendment

ANS: D

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.

Source: Laxmikanth

Q.4) Which of the following is/are feature/s of fundamental rights?

1. They are both absolute and qualified in nature.
2. They are defended and guaranteed by the Supreme Court.

Which of the statements given above is/are correct?

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

ANS: C

Explanation: The Fundamental Rights guaranteed by the Constitution are characterised 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.

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- 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.
- They are justifiable, 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.

Source: Laxmikanth

Q.5) Which of the following article/s is/are restrict the scope of application of fundamental rights in India?

1. Article 31A
2. Article 31B
3. Article 34

How many of the statements given above are correct?

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

ANS: C

Explanation: The scope of operation of fundamental rights is limited by Article 31A (saving of laws providing for acquisition of estates, etc.), Article 31B (validation of certain acts and regulations included in the 9th Schedule) and Article 31C (saving of laws giving effect to certain directive principles).

Their application can be restricted while martial law is in force in any area. Martial law means 'military rule' imposed under abnormal circumstances to restore order (Article 34). It is different from the imposition of national emergency.

Source: Laxmikanth

Q.6) Under Article 12 of Indian constitution, the definition of state include/s?

1. Parliament
2. Panchayats
3. Oil & Natural Gas Corporation (ONGC)

How many of the statements given above are correct?

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

ANS: C

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 that is, municipalities, panchayats, district boards, improvement trusts, etc.
- All other authorities, that is, statutory or non-statutory authorities like LIC, ONGC, SAIL, etc.

Source: Laxmikanth

Q.7) Which of the following article of Indian constitution declares that all laws that are inconsistent with or in derogation of any of the fundamental rights shall be void?

- a) Article 12
- b) Article 13
- c) Article 21
- d) Article 32

ANS: B

Explanation: Article 13 declares that all laws that are inconsistent with or in derogation of any of the fundamental rights shall be void. In other words, it expressly provides for the doctrine of judicial review. This power has been conferred on the Supreme Court (Article 32) and the high court's (Article 226) that can declare a law unconstitutional and invalid on the ground of contravention of any of the Fundamental Rights.

Source: Laxmikanth

Q.8) Which of the following is/are come/s under Right to freedom?

- 1. Freedom of speech & expression
- 2. Protection in respect of conviction for offences
- 3. Protection of life and personal liberty

How many of the statements given above are correct?

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

ANS: C

Explanation:

2. Right to freedom (Articles 19–22)
- (a) Protection of six rights regarding freedom of: (i) speech and expression, (ii) assembly, (iii) association, (iv) movement, (v) residence, and (vi) profession (Article 19).
 - (b) Protection in respect of conviction for offences (Article 20).
 - (c) Protection of life and personal liberty (Article 21).
 - (d) Right to elementary education (Article 21A).
 - (e) Protection against arrest and detention in certain cases (Article 22).

Source: Laxmikanth

Q.9) Which of the following fundamental right provides equality of opportunity for all citizens in matters of employment or appointment to any office under the State?

- a) Article 14
- b) Article 15
- c) Article 16
- d) Article 17

ANS: C

Explanation: Article 16 provides for equality of opportunity for all citizens in matters of employment or appointment to any office under the State.

No citizen can be discriminated against or be ineligible for any employment or office under the State on grounds of only religion, race, caste, sex, descent, place of birth or residence.

Source: Laxmikanth

Q.10) Which of the following article of Indian constitution deals with “untouchability”?

- a) Article 14
- b) Article 15
- c) Article 16
- d) Article 17

ANS: D

Explanation: Article 17 abolishes ‘untouchability’ and forbids its practice in any form.

The enforcement of any disability arising out of untouchability shall be an offence punishable in accordance with law.

Source: Laxmikanth

Directive Principles & Fundamental Duties

Q.1) The directive principles of state policy of Indian constitution were inspired from?

- a) American constitution
- b) Irish constitution
- c) French constitution
- d) Japanese constitution

ANS: B

Explanation: The framers of the Constitution borrowed the directive principles of state policy idea from the Irish Constitution of 1937, which had copied it from the Spanish Constitution.

Source: Laxmikanth

Q.2) Which of the following provisions are considered as “Instrument of Instructions”?

- a) The Preamble
- b) Fundamental rights
- c) Directive Principles
- d) Fundamental duties

ANS: C

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

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- 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.3) Consider the following statements regarding “Directive Principles of state policy”:

1. They are not justifiable in nature.
2. The Constitution says that directive 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.

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: C

Explanation: The Directive Principles are non-justifiable in nature, that is, they are not legally enforceable by the courts for their violation.

- Therefore, the government (Central, state and local) cannot be compelled to implement them.
- Nevertheless, 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.

Source: Laxmikanth

Q.4) Which of the following provision/s is/are covered under article 39 of Indian constitution?

1. The right to adequate means of livelihood for all citizens
2. The equitable distribution of material resources of the community for the common good
3. Prevention of concentration of wealth and means of production

How many of the statements given above are correct?

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

ANS: C

Explanation: Article 39 of Indian constitution directs the state 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.

Source: Laxmikanth

Q.5) Which of the following article make provision for just and humane conditions of work and maternity relief?

- a) Article 40
- b) Article 41
- c) Article 42
- d) Article 43

ANS: C

Explanation: Article 42 of Indian constitution directs the state to make provision for just and humane conditions of work and maternity relief.

Source: Laxmikanth

Q.6) Which of the following article/directive principle to organize village panchayats and endow them with necessary powers and authority to enable them to function as units of self-government?

- a) Article 40
- b) Article 41
- c) Article 42
- d) Article 43

ANS: A

Explanation: In order to fulfill the dreams of Gandhi, some of his ideas were included as Directive Principles. They require the State to organize 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 article/directive principle of Indian constitution separate the judiciary from the executive in the public services of the State?

- a) Article 44
- b) Article 46
- c) Article 47
- d) Article 50

ANS: D

Explanation: Liberal-Intellectual principles of directive principles represent the ideology of liberalism. They direct the state to separate the judiciary from the executive in the public services of the State (Article 50).

Source: Laxmikanth

Q.8) The Fundamental Duties in the Indian Constitution are inspired by the Constitution of?

- a) Japanese constitution
- b) French constitution
- c) Russian constitution
- d) American constitution

ANS: C

Explanation: The Fundamental Duties in the Indian Constitution are inspired by the Constitution of erstwhile USSR (Russia).

Notably, none of the Constitutions of major democratic countries like USA, Canada, France, Germany, and Australia and so on specifically contain a list of duties of citizens.

Source: Laxmikanth

Q.9) Which of the following committee was set up to make recommendations about fundamental duties?

- a) Mandal committee
- b) Sardar Swaran Singh Committee
- c) Krishna kanth committee
- d) Sarkar committee

ANS: B

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).

Source: Laxmikanth

Q.10) The fundamental duty to provide opportunities for education to his child or ward between the age of six and fourteen years was added to constitution through which amendment act?

- a) First constitutional amendment act
- b) Forty second constitutional amendment act
- c) Forty fourth constitutional amendment act
- d) Eighty sixth constitutional amendment act

ANS: D

Explanation: The fundamental duty to provide opportunities for education to his child or ward between the age of six and fourteen years was added to constitution through the 86th Constitutional Amendment Act, 2002.

Source: Laxmikanth

Amendment & Basic Structure of Constitution

Q.1) The famous “verma committee” was related to which of the following?

- a) The Preamble
- b) The Fundamental rights
- c) The Directive principles
- d) The Fundamental duties

ANS: D

Explanation: The Verma Committee on Fundamental Duties of the Citizens (1999) identified the existence of legal provisions for the implementation of some of the Fundamental Duties.

Source: Laxmikanth

Q.2) Which of the following part of Constitution deals with the powers of Parliament to amend the Constitution?

- a) Part XIII
- b) Part XVII
- c) Part XIX
- d) Part XX

ANS: D

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

Source: Laxmikanth

Q.3) Which of the following article of Indian constitution related to “amendment of the constitution”?

- a) Article 342
- b) Article 355
- c) Article 361
- d) Article 368

ANS: D

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

Source: Laxmikanth

Q.4) Consider the following statements:

1. An amendment of the Constitution cannot be initiated in the state legislatures.
2. The bill can be introduced either by a minister or 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: C

Explanation: The procedure for the amendment of the Constitution as laid down in Article 368 is as follows:

- 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.
- The bill can be introduced either by a minister or by a private member and does not require prior permission of the president.

Source: Laxmikanth

Q.5) In which of the following way/s, Constitution can be amended?

1. Amendment by simple majority of the Parliament.
2. Amendment by special majority of the Parliament.
3. Amendment by special majority of the Parliament and the ratification of half of the state legislatures.

How many of the statements given above are correct?

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

ANS: C

Explanation: The Constitution can be amended in three ways:

- Amendment by simple majority of the Parliament,
- Amendment by special majority of the Parliament, and
- Amendment by special majority of the Parliament and the ratification of half of the state legislatures.

Source: Laxmikanth

Q.6) Which of the following provision/s of constitution can be amended by simple majority?

1. Admission or establishment of new states.
2. Abolition or creation of legislative councils in states.
3. Quorum in Parliament.

How many of the statements given above are correct?

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

ANS: C

Explanation: A number of provisions in the Constitution can be amended by a simple majority of the two Houses of Parliament outside the scope of Article 368. These provisions include:

- Admission or establishment of new states.
- Formation of new states and alteration of areas, boundaries or names of existing states.
- Abolition or creation of legislative councils in states.
- Second Schedule—emoluments, allowances, privileges and so on of the president, the governors, the Speakers, judges, etc.
- Quorum in Parliament.

Source: Laxmikanth

Q.7) Which of the following provision/s of constitution can be amended by Special Majority of Parliament and Consent of States?

1. Election of the President and its manner.
2. Extent of the executive power of the Union and the states.
3. Supreme Court and high courts.

How many of the statements given above are correct?

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

ANS: C

Explanation: By Special Majority of Parliament and Consent of States: Those provisions of the Constitution which are related to the federal structure of the polity can be amended by a special majority of the Parliament and also with the consent of half of the state legislatures by a simple majority.

The following provisions can be amended in this way:

- Election of the President and its manner.
- Extent of the executive power of the Union and the states.
- Supreme Court and high courts.
- Distribution of legislative powers between the Union and the states.

Source: Laxmikanth

Q.8) Which of the following is/are “basic structure” of Indian constitution?

1. Supremacy of the Constitution
2. Secular character of the Constitution
3. Federal character of the Constitution

How many of the statements given above are correct?

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

ANS: C

Explanation: From the various judgements, the following have emerged as ‘basic features’ of the Constitution or elements 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

Source: Laxmikanth

Q.9) Which of the following directive principle/s was/were included through “42nd Amendment Act of 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 take steps to secure the participation of workers in the management of industries

How many of the statements given above are correct?

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

ANS: C

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

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

Source: Laxmikanth

Q.10) The directive principle relating to cooperative societies were added through which amendment?

- a) Forty second constitutional amendment act
- b) Forty fourth constitutional amendment act
- c) Eighty sixth constitutional amendment act
- d) Ninety seventh constitutional amendment act

ANS: D

Explanation: The 97th Amendment Act of 2011 added a new Directive Principle relating to cooperative societies.

It requires the state to promote voluntary formation, autonomous functioning, democratic control and professional management of co-operative societies (Article 43B).

Source: Laxmikanth

Emergency Provisions

Q.1) Which part of Indian constitution is related to “emergency provisions”?

- a) Part XIII
- b) Part XVIII
- c) Part XIX
- d) Part XX

ANS: B

Explanation: The Emergency provisions are contained in Part XVIII of the Constitution, from Articles 352 to 360.

Source: Laxmikanth

Q.2) Consider the following statements:

1. The President can declare a national emergency under article 352.
2. A proclamation of national emergency may be applicable to the entire country or only a part of it.

Which of the statements given above is/are correct?

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

ANS: C

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.
- A proclamation of national emergency may be applicable to the entire country or only a part of it.

Source: Laxmikanth

Q.3) Which amendment act substituted the words armed rebellion for internal disturbance?

- a) Forty second constitutional amendment act
- b) Forty fourth constitutional amendment act
- c) Eighty sixth constitutional amendment act
- d) Ninety seventh constitutional amendment act

ANS: B

Explanation: Originally, the Constitution mentioned 'internal disturbance' as the third ground for the proclamation of a National Emergency, but the expression was too vague and had a wider connotation. Hence, the 44th Amendment Act of 1978 substituted the words 'armed rebellion' for 'internal disturbance'.

Source: Laxmikanth

Q.4) Under which case, 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?

- a) A K Gopalan case
- b) Maneka Gandhi case
- c) Minerva mills case
- d) Puthuswamy case

ANS: C

Explanation: The 38th Amendment Act of 1975 made the declaration of a National Emergency immune from the judicial review.

But, this provision was subsequently deleted by the 44th Amendment Act of 1978.

Further, 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.

Source: Laxmikanth

Q.5) Consider the following statements:

1. The proclamation of Emergency must be approved by both the Houses of Parliament within one month from the date of its issue.
2. If approved by both the Houses of Parliament, the emergency continues for six months, and can be extended to an indefinite period with an approval of the Parliament for every six months.

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: C

Explanation: The proclamation of Emergency must be approved by both the Houses of Parliament within one month from the date of its issue.

- Originally, the period allowed for approval by the Parliament was two months, but was reduced by the 44th Amendment Act of 1978.
- If approved by both the Houses of Parliament, the emergency continues for six months, and can be extended to an indefinite period with an approval of the Parliament for every six months.
- This provision for periodical parliamentary approval was also added by the 44th Amendment Act of 1978.

Source: Laxmikanth

Q.6) Consider the following statements:

1. A proclamation of emergency may be revoked by the President at any time by a subsequent proclamation.
2. Such a proclamation does not require the parliamentary approval.

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: C

Explanation: A proclamation of emergency may be revoked by the President at any time by a subsequent proclamation. Such a proclamation does not require the parliamentary approval.

Source: Laxmikanth

Q.7) Consider the following statements:

1. 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.
2. During a national emergency, the Parliament becomes empowered to make laws on any subject mentioned in the State List.

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: C

Explanation: 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.
- 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.

Source: Laxmikanth

Q.8) Which of the following article describes the “President Rule”?

- a) Article 352
- b) Article 355
- c) Article 356
- d) Article 360

ANS: C

Explanation: 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’.

Source: Laxmikanth

Q.9) Which of the following article says that whenever a state fails to comply with or to give effect to any direction from the Centre, it will be lawful for the president to hold that a situation has arisen in which the government of the state cannot be carried on in accordance with the provisions of the Constitution?

- a) Article 352
- b) Article 355
- c) Article 360
- d) Article 365

ANS: D

Explanation: Article 365 says that whenever a state fails to comply with or to give effect to any direction from the Centre, it will be lawful for the president to hold that a situation has arisen in which the government of the state cannot be carried on in accordance with the provisions of the Constitution.

Source: Laxmikanth

Q.10) Which of the following article is related to financial emergency?

- a) Article 352
- b) Article 355
- c) Article 360
- d) Article 365

ANS: C

Explanation: Article 360 empowers the president to proclaim a Financial Emergency if he is satisfied that a situation has arisen due to which the financial stability or credit of India or any part of its territory is threatened.

Source: Laxmikanth

Revision

Q.1) Which of the following power/s is/are acquired by president during president's rule?

1. He can take up the functions of the state government and powers vested in the governor.
2. He can declare that the powers of the state legislature are to be exercised by the Parliament.
3. He can take all other necessary steps including the suspension of the constitutional provisions relating to anybody or authority in the state.

How many of the statements given above are correct?

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

ANS: C

Explanation: The President acquires the following extraordinary powers when the President's Rule is imposed in a state:

- He can take up the functions of the state government and powers vested in the governor or any other executive authority in the state.
- He can declare that the powers of the state legislature are to be exercised by the Parliament.
- He can take all other necessary steps including the suspension of the constitutional provisions relating to anybody or authority in the state.

Source: Laxmikanth

Q.2) Which of the following right/s is/are come/s under "Right to freedom of religion"?

1. Freedom of conscience and free profession, practice and propagation of religion.
2. Freedom to manage religious affairs.
3. Freedom from payment of taxes for promotion of any religion.

How many of the statements given above are correct?

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

ANS: C

Explanation: Right to freedom of religion (Article 25–28):

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- Freedom of conscience and free profession, practice and propagation of religion (Article 25).
- Freedom to manage religious affairs (Article 26).
- Freedom from payment of taxes for promotion of any religion (Article 27).
- Freedom from attending religious instruction or worship in certain educational institutions (Article 28).

Source: Laxmikanth

Q.3) Which of the following immunity/immunities is/are covered under Article 361?

1. The President or the Governor is not answerable to any court the exercise and performance of the powers and duties of office.
2. No criminal proceedings shall be instituted or continued against the President or the Governor in any court during his term office.
3. No process for the arrest or imprisonment of the President or Governor shall be issued from any court during his term of office.

How many of the statements given above are correct?

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

ANS: C

Explanation: The President of India and the Governor of States enjoy the following immunities (Article 361):

- (i) The President or the Governor is not answerable to any court the exercise and performance of the powers and duties of office.
- (ii) No criminal proceedings shall be instituted or continued against the President or the Governor in any court during his term office.
- (iii) No process for the arrest or imprisonment of the President or Governor shall be issued from any court during his term of office.

Source: Laxmikanth

Q.4) Consider the following statements:

Article 20 grants protection against arbitrary and excessive punishment to an accused person.

The protection against double jeopardy is available only in proceedings before a court of law or a judicial tribunal.

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: C

Explanation: Article 20 grants protection against arbitrary and excessive punishment to an accused person, whether citizen or foreigner or legal person like a company or a corporation.

Source: Laxmikanth

Q.5) Which of the following provision/s is/are come/s under article 20?

1. No ex-post-facto law
2. No double jeopardy
3. No self-incrimination

How many of the statements given above are correct?

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

ANS: C

Explanation: Article 20 grants protection against arbitrary and excessive punishment to an accused person, whether citizen or foreigner or legal person like a company or a corporation.

It contains three provisions in that direction:

(a) No ex-post-facto law: No person shall be (i) convicted of any offence except for violation of a law in force at the time of the commission of the act, nor (ii) subjected to a penalty greater than that prescribed by the law in force at the time of the commission of the act.

(b) No double jeopardy: No person shall be prosecuted and punished for the same offence more than once.

(c) No self-incrimination: No person accused of any offence shall be compelled to be a witness against himself.

Source: Laxmikanth

Q.6) Which of the following right is related to Article 21A?

- a) Right to reputation
- b) Right to information
- c) Right to opportunity
- d) Right to Education

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.

Source: Laxmikanth

Q.7) Which of the following right/s is/are covered under article 22?

1. Right to be informed of the grounds of arrest.
2. Right to consult and be defended by a legal practitioner.
3. Right to be produced before a magistrate within 48 hour including the journey time.

How many of the statements given above are correct?

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

ANS: B

Explanation: The Article 22 has two parts—the first part deals with the cases of ordinary law and the second part deals with the cases of preventive detention law.

The first part of Article 22 confers the following rights on a person who is arrested or detained under an ordinary law:

- Right to be informed of the grounds of arrest.
- Right to consult and be defended by a legal practitioner.
- Right to be produced before a magistrate within 24 hour including the journey time.
- Right to be released after 24 hours unless the magistrate authorizes further detention.

Source: Laxmikanth

Q.8) Which of the following article is related to “secure the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement”?

- A. Article 40
- B. Article 41
- C. Article 42
- D. Article 44

ANS: B

Explanation: Article 41: To secure the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement.

Source: Laxmikanth

Q.9) Which of the following article is related to “promote voluntary formation, autonomous functioning, democratic control and professional management of cooperative societies”?

- a) Article 40
- b) Article 41A
- c) Article 43B
- d) Article 44

ANS: C

Explanation: Article 43B: To promote voluntary formation, autonomous functioning, democratic control and professional management of cooperative societies.

Source: Laxmikanth

Q.10) Which of the following article is related to “organize agriculture and animal husbandry on modern and scientific lines”?

- a) Article 42
- b) Article 44
- c) Article 46
- d) Article 48

ANS: D पेशी कला

Explanation: Article 48: To organize agriculture and animal husbandry on modern and scientific lines.

Source: Laxmikanth