

Q.4)

**Exp) Option a is the correct answer.**

A significant aspect of the global battle for democracy has been the adoption of the principle of Universal Adult Franchise as the foundation for ascertaining the will of the people. Until the 20th century, numerous nations that claimed to be democratic, limited voting rights to men only based on property ownership, education, and other qualifications.

**Statement 1 is incorrect:** The right of the people to vote and elect their representatives is called franchise. Universal Adult Franchise means only the right of the people (aged 18 years and above in India) to choose their representatives. Hence, UAF simply means that the **right to vote should be given to all adult citizens** without any discrimination based on caste, class, colour, religion or sex. Therefore, **UAF does not include the right to contest in elections.**

**Statement 2 is incorrect:** Gandhiji was one of the vocal supporters of Universal Adult Franchise, He argued for voting rights to all, irrespective of their literacy status, economic and social status etc. Gandhiji in his journal 'Young India' in 1931 expressed that "I cannot possibly bear the idea that a man who has got wealth should get the vote but a man who has got character, but no wealth or literacy, should have no vote.

**Statement 3 is correct:** The Motilal Nehru Report, also known as the "Nehru Report," was a significant document in the context of Indian constitutional reforms. It was published in 1928 and one of the key recommendations of the report was the **advocacy for Universal Adult Franchise (UAF).**

**Statement 4 is incorrect:** While India implemented the principle of UAF on **January 26, 1950**, the **United Kingdom implemented UAF in 1928 itself.** In 1918, the voting rights were extended to all men aged 21 and women aged 30. Then, in 1928, women aged 21 and older were also granted the right to vote, ultimately leading to universal suffrage in the United Kingdom.

Q.5)

**Exp) Option a is the correct answer.**

While the State encompasses various sovereignty, territory, population and the legal framework (constitution), the Government primarily deals with the day-to-day administration, governance, and policymaking of the country.

**Statement 1 is correct:** The State is a broader and more permanent concept that represents the entire political organisation of a territory. The **State** is a political institution that **represents a sovereign people** who occupy a definite territory.

On the other hand, the **Government refers to the individuals or institutions responsible for making and implementing decisions** within that State. The Government is a part of State and can change as elected officials come and go, for example Congress Government, BJP government etc.

**Statement 2 is incorrect: Both the Government and the State derive their authority primarily from the Constitution.** The Constitution is the foundational legal document that establishes the framework for governance within the State. State is a comprehensive concept that represents the entire political organisation of a country including the Government.

The Constitution defines the **principles of sovereignty, rights of the people** which in turn are very much linked to the concept of State.

Q.14)

**Exp) Option c is the correct answer.**

State intervention in religious customs was deemed necessary in the Indian context to address deeply entrenched practices that stripped individuals of their fundamental dignity and self-respect, such as untouchability. These customs were so ingrained that they required active state involvement for eradication. The state's role was not solely about mutual exclusion but rather principled distance,

allowing it to intervene when needed to protect individual rights and promote social justice while respecting religious freedoms.

**Q.15)**

**Exp) Option a is correct answer.**

The term 'Sovereign' implies India is neither a dependency nor a dominion. It is an independent state who is free to conduct its own affairs and there is no authority above it'. The term Republic implies the political sovereignty is vested on the people of India and there is absence of any privileged class. The term 'Secularism' implies the state shall not favor or promote any particular religion. The term 'Democracy' implies that the power of the government is based on the consent of the people. A democracy may not be a sovereign nation. For example, Hong Kong is considered as democracy however it is not a sovereign nation.

**Q.23)**

**Exp) Option c is correct.**

Secularism is the principle that makes a state neutral in the matter of religion and hence does not uphold any particular religion as the state religion. For example, India and USA.

Option c is correct. The concept of principled distance entails a state to maintain equal distance from all religion. Principled distance from religion is the essence of Indian secularism. Secularism in the Indian context calls for the maintenance of a "principled distance" between state and religion. This does not mean that the state cannot intervene in religion and its affairs, but that any intervention should be within the limitations prescribed by the Constitution.

**Q.25)**

**Exp) Option c is the correct answer**

**Statement 1 is correct:** It is true that the **rule of law ensures supremacy of law, Constitutionalism ensures supremacy of the constitution.** Rule of law means no one is above the law thus ensuring supremacy of law (rather than individual) and Constitutionalism by requiring the government to follow basic procedures ensures constitutional supremacy.

**Statement 2 is correct:** The basic principles of Constitutionalism such as the separation of powers, judicial review, the prohibition of retroactive legislation ensures not only the **implementation of rule of law in letter but also in spirit and these principles enable law to be fair.**

**Statement 3 is correct:** Without rule of law, upholding the principles of Constitutionalism is not possible. Only when the **supremacy of the rule of law is established**, can supremacy of the constitution (constitutionalism) exist. Constitutionalism additionally requires effective laws and their enforcement to provide structure to its framework.

**Statement 4 is incorrect:** Both **rule of law and constitutionalism** are related ideas about how the **powers of government and of state officials are to be limited.** Thus, the Rule of law does not limit the power of the Government is not correct.

**Q.27)**

**Exp) Option d is the correct answer.**

In the Kesavananda Bharti case, the Constitutional Bench of the Supreme Court ruled that **Parliament could amend any part of the Constitution so long as it did not alter or amend the basic structure or essential features of the Constitution.** From the various judgements, the following have emerged as the elements of the basic features 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
10. **Parliamentary system**
11. Rule of law
12. **Harmony and balance between Fundamental Rights and Directive Principles**
13. Principle of equality
14. Free and fair elections
15. Independence of Judiciary
16. Limited power of Parliament to amend the Constitution
17. Effective access to justice
18. Principles (or essence) underlying fundamental rights.
19. Powers of the Supreme Court under Articles 32, 136, 141 and 1426
20. Powers of the High Courts under Articles 226 and 2277

In the Kesavananda Bharati case (1973), the Supreme Court upheld the validity of the 24th Amendment Act (1971) and stated that **Parliament is empowered to abridge or take away any of the Fundamental Rights**. At the same time, it laid down a new doctrine of the 'basic structure' (or 'basic features') of the Constitution. It ruled that the constituent power of Parliament under Article 368 does not enable it to alter the 'basic structure' of the Constitution. This means that the **Parliament cannot abridge or take away a Fundamental Right** that forms a part of the 'basic structure' of the Constitution.

**Q.28)**

**Exp) Option c is the correct answer.**

The Constitution had a socialist content in the form of certain Directive Principles of State Policy even before the term was added by the 42nd Amendment in 1976. In other words, what was hitherto implicit in the Constitution has now been made explicit.

**Statement 1 is correct: Indian brand of socialism is a 'democratic socialism' and not a 'communistic socialism'.**

- 'Communistic socialism' (also known as 'state socialism') involves the nationalisation of all means of production and distribution and the abolition of private property.
- Democratic socialism, on the other hand, holds faith in a 'mixed economy' where both public and private sectors co-exist side by side

Directive Principles of State Policy (DPSPs) of Indian Constitution reflect the socialistic features. For example, right to adequate means of livelihood for all citizens, Promote equal justice and free legal aid to the poor, etc.

**Indian constitution does not promote core capitalistic values. For example, the Right to Property as Fundamental Right was abrogated by the 44<sup>th</sup> Constitutional Amendment Act.**

**Statement 2 is incorrect:** The new economic policy (1991) of liberalisation, privatisation and globalisation has **diluted the socialist credentials** of the Indian State. Hence, statement 2 is incorrect.

**Q.30)**

**Exp) Statement 1 is correct. '**

Negative liberty' seeks to define and defend an area in which the individual would be inviolable, in which he or she could 'do, be or become' whatever he or she wished to 'do, be or become'. This is an area in which no external authority can interfere. It is a minimum area that is sacred and in which whatever the

individual does, is not to be interfered with. The existence of the 'minimum area of non-interference' is the recognition that human nature and human dignity need an area where the person can act unobstructed by others.

Statement 2 is correct. Positive liberty recognizes that an individual can be free only in society (not outside it) and hence tries to make that society such that it enables the development of the individual whereas negative liberty is only concerned with the inviolable area of non-interference and not with the conditions in society, outside this area, as such.

**Q.31)**

**Exp) Option c is the correct answer.**

Fabian socialism derives its name from the Fabian Society, a British socialist organization founded in the late 19th century. Fabian socialists advocate for a **gradual and evolutionary approach to socialism, emphasizing the use of democratic processes and reform rather than revolution.**

- 1) They believe in **achieving socialist goals through incremental changes** within existing democratic structures.
- 2) Fabian socialists **support the idea of a welfare state**, progressive taxation, and government intervention in the economy to promote social justice and equality.
- 3) It feels the **necessity of 'State' as an ultimate arbiter of all disputes**. Though power shall be rested in the hands of the state, there shall be no opportunity to exercise it arbitrarily.
- 4) It advocates **nationalization of key industries** in the economic structure of the society **but did not support management of entire economy by state.**

**Q.32)**

**Exp) Option a is the correct answer**

Fraternity means a sense of brotherhood. The Constitution promotes this feeling of fraternity among citizens by the system of single citizenship.

**Option a is correct:** The Preamble of the Indian Constitution declares that **fraternity has to assure two things: the dignity of the individual and the unity and integrity of the nation**. Therefore, it is true that dignity of the individual and Unity and Integrity of the Nation are essential components of Fraternity. It must be noted here that the word 'integrity' has been added to the preamble by the 42nd Constitutional Amendment (1976).

**Option b is incorrect:** The Preamble of the Indian Constitution does not declare ensuring peace and public order as the essential component of Fraternity.

**Option c is incorrect: Elimination of Inequality is not the goal of Preamble** however the Preamble aims to secure all citizens of India a equality of status and opportunity to realise the **objective of Equality (not Fraternity)**

**Option d is incorrect: Equal treatment of all citizens** without any discrimination based on caste, religion, race, sex etc. is the **essential component of Social Justice (not Fraternity)**.

**Q.34)**

**Exp) Option d is correct.**

**Statement 1 is incorrect.** In legal philosophy, 'originalism' theory prescribes that while resolving disputes, judges should interpret the constitution as it was understood at the time it was ratified, irrespective of whether they personally agree or disagree with the outcome of a case, decided this way. According to originalists, the meaning of the constitution is fixed at the time of its framing, either in the form of the meaning of the words used, or the intentions of the drafters. The job of the court is to stick to this original meaning.

**Statement 2 is incorrect.** The legal philosophy which is said to be the opposite of originalism is 'living constitution' or 'modernism'. This theory, espoused by likes of the late Justice Ginsburg, believes that the constitution should be updated with times to encompass changing societal needs.

**Q.43)**

**Exp) Option a is the correct answer**

The **Kesavananda Bharati case (1973)** introduced the doctrine of basic Structure to **limit the amendment power of parliament** to prevent any changes in the constitution that may affect the **basic values enshrined in the Constitution**.

**Statement 1 is incorrect: Basic structure of the constitution ensures the supremacy of constitution** in India, not judicial supremacy. Basic structure doctrine was introduced by the Supreme court to **prevent the excessive use of power by any organs of the state - legislature, executive or judiciary** to uphold the core provisions of the constitution of India.

**Statement 2 is correct:** It is true that bill amending the constitution cannot be introduced in the state legislative assemblies. In fact, **no constitutional amendment bill can be introduced in the state legislative assemblies**.

**Statement 3 is incorrect: Parliament can amend fundamental rights if such changes does not affect the basic structure of the constitution.** Thus, it is incorrect to say that basic structure prohibits parliament from amending any of the fundamental rights. The Supreme court in **Kesavananda Bharati case** upheld the validity of the 24<sup>th</sup> Constitutional Amendment Act (CAA) and held that parliament is empowered to take away or abridge any of the Fundamental Rights, if such changes does not alter the basic structure of the constitution.

**Statement 4 is incorrect: High court can strike down laws/executive actions even if it violates non-basic structure** of the constitution. **Article 226** of the Indian constitution gives the high court the power to review legislative/executive actions which contravenes any of the constitutional provisions which includes both basic and non-basic features of the constitution.

**Q.49)**

**Exp) Option c is correct.**

The Preamble contains the ideals, objectives and basic principles of the Constitution which include commitment to democracy, guarantee to all the people of India; Justice, equality and freedom

The Preamble covers all these dimensions of justice – social, economic and political. Statement 1 is correct. Social Justice is the recognition or greater good to a larger number without deprivation or accrual of legal rights and is the comprehensive form to remove social imbalance by law harmonizing the rival claims or the interest of different groups and/or section in the social structure or individuals by means of which alone it would be possible to build up a welfare State. Social Justice implies that all citizens are treated equally irrespective of their status in society as a result of the accident birth, race, caste, religion, sex, title etc

**Statement 2 is correct.** Economic Justice means the banishment of poverty, not by expropriation of those who have but by the multiplication of the national wealth and resources and an equitable distribution thereof amongst all who contribute towards its production, is the aim of the state envisaged by the directive principles. Economic justice is a facet of liberty without which equality of status and dignity of person is teasing illusions. The ideal of economic justice is to make equality of status meaningful and life worth living at its best removing inequality of opportunity and of status-social, economic and political.

**Statement 3 is correct.** Political Justice proposes that there should be no limits on freedom of thought and expression of the individual; and that the pursuit of knowledge should be the primary aim of the individual.