

Q.15)

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

Union Minister of Science & Technology has said that Botlab Dynamics Private Limited, a start-up supported by Technology Development Board will light up the sky with 1000 Drones Light Show at 'Beating the Retreat Ceremony'

**Statement 1 is incorrect:** The Beating Retreat ceremony is organized **every year after the Republic Day Celebration** on January 29. The ceremony takes place at the Vijay Chowk, filling it with lights, music, and patriotism.

**Statement 2 is correct:** The Beating Retreat ceremony occasion is organised and held by the Indian Army, with the **President of India as the principal chief guest**. The programme is organized in front of Rashtrapati Bhawan on Raisina Road.

**Statement 3 is incorrect:** The ceremony is not exclusive to India. It has a long tradition across various countries. The **ceremony began in 17th century England**, when King James II ordered his troops to beat drums, lower flags and organize a parade to announce the end of a day of combat. The ceremony is currently held by Armed Forces in the **UK, US, Canada, New Zealand, Australia**, and India, among others.

Knowledge Base: In India, the ceremony traces its origins to the **early 1950s**, when **Major Roberts of the Indian Army** indigenously developed the **unique ceremony of display by the massed bands**. Currently, it is played by bands from the **Indian Army, Indian Navy, and Indian Air Force, as well as Army pipe bands** and, beginning in 2016, a massed formation of bands from the Central Armed Police Forces and the Delhi Police.

Q.18)

**Exp) option a is correct**

**Option a is correct:** Judicial review is the power to examine the constitutionality of legislative enactments and executive orders of both the central and state government. On examination, if they are found to be violative of the constitution, they can be declared as illegal, unconstitutional and invalid by the judiciary.

**Option b is incorrect:** The proactive role played by the judiciary to force the other two organs of the government to discharge their constitutional duties comes under the term '**Judicial activism**'. Under it, the judiciary plays important role in protection of the rights of citizens and in the promotion of justice in the society.

**Option c is incorrect:** **Judicial overreach** is when the judiciary starts interfering with the proper functioning of the legislative or executive organs of the government, i.e., the judiciary crosses its own function and enter the executive and legislative functions.

**Option d is incorrect:** The phrase 'judicial review' has nowhere been used in the constitution. However, the provisions of several Articles explicitly confer the power of judicial review on the supreme court and the high courts. Some of these provisions comes under Article 13, 32, 226 etc.

Knowledge Base:

Judicial review is needed for the following reasons:

1. To uphold the principles of the supremacy of the Constitution.
2. To maintain federal equilibrium.
3. To protect the fundamental rights of the citizens.

Q.20)

**Exp) Option d is correct.**

Option a is incorrect. Pith denotes the 'essence of something' or the 'true nature', while substance states 'the most significant or essential part of something'. The Doctrine of Pith and Substance places emphasis

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on the fact that it is the real subject matter which is to be challenged and not its incidental effects on another field.

Option b is incorrect. As per the Doctrine of Colourable Legislation, if anything is prohibited directly then it is also prohibited indirectly.

Option c is incorrect. The Doctrine of Basic Structure signifies the basic features of the Constitution, which cannot be amended, as they form the foundation of the Constitution on which its core principles stand.

Option d is correct. The Doctrine of Repugnancy deals with conflict between two pieces of legislation which when applied to the same facts produce different results. Repugnancy arises when the provisions of two laws are so inconsistent and irreconcilable that it is impossible to do one without disobeying the other. Article 254 of the Indian Constitution firmly entrenches the Doctrine of Repugnancy in India. This doctrine deals with the conflict of law arises between Center and States. Article 254(1) states that if any provision of law or law made by the legislature of the State is repugnant to the any provision of law or law made by the Parliament, then the law made by Parliament will prevail over State enacted law.

**Q.23)**

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

**Statement 1 is correct:** The process of constitutional amendment in India is less rigid than what is found in other federations. The bulk of the Constitution can be amended by the unilateral action of the Parliament, either by simple majority or by special majority. Further, the **power to initiate an amendment to the Indian Constitution lies only with the Centre. In US, the states can also propose an amendment to the Constitution.**

**Statement 2 is incorrect:** The President of India holds office for a term of five years from the date on which he enters upon his office. He **is also eligible for re-election to that office.** He may be elected for any number of terms. However, in **USA, a person cannot be elected to the office of the President more than twice.**

**Statement 3 is correct:** Unlike Supreme Court the American Constitution, the **Indian Constitution has established an integrated judicial system with the Supreme Court at the top and the high courts** below it. Under a high court (and below the state level), there is a hierarchy of subordinate courts, that is, district courts and other lower courts. This single system of courts, adopted from the Government of India Act of 1935, enforces both Central laws as well as the state laws. In USA, on the other hand, the federal laws are enforced by the federal judiciary and the state laws are enforced by the state judiciary. There is thus a **double system of courts in USA**—one for the centre and the other for the states. To sum up, India, although a federal country like the USA, **has a unified judiciary and one system of fundamental law and justice.**

**Q.26)**

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

Overseas Citizenship of India (OCI) is a type of permanent residency / Visa available to individuals who are foreigner nationals of Indian origin. The Registration of Overseas citizen of India cardholder is covered under section 7-A of the Citizenship Act, 1955.

**Statement 1 is correct:** An overseas citizen of India **shall not be entitled to the rights conferred on a citizen of India under Article 16 of the Indian Constitution.**

**Statement 2 is incorrect:** A registered Overseas Citizen of India is granted multiple entry, multipurpose, life-long visa for visiting India. He/she is exempted from registration with Foreign Regional Registration Officer or Foreign Registration Officer for any length of stay in India, and is entitled to general 'parity with Non-Resident Indians in respect of all facilities available to them in economic, financial and

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educational fields **except in matters relating to the acquisition of Agricultural land** or Farm house or Plantation properties.

**Statement 3 is correct:** The Citizenship Act 1955, provides that the central government may cancel registration of OCIs on certain grounds, including: (i) if the OCI had registered through fraud, or (ii) if within five years of registration, the OCI was sentenced to imprisonment for two years or more. The Citizenship amendment Bill 2016 adds one more ground for cancelling registration, that is, if the **OCI has violated any law in the country**.

Q.29)

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

By the States Reorganisation Act (1956) and the 7th Constitutional Amendment Act (1956), the distinction between Part A and Part B states was done away with and Part C states were abolished. Some of them were merged with adjacent states and some other were designated as union territories. As a result, 14 states and 6 union territories were created on November 1, 1956. At present India has 28 states and 9 UTs.

**Correct Chronological order is as under**

**In 1960, the bilingual state of Bombay was divided into two separate states–Maharashtra for Marathi speaking people and Gujarat for Gujarati speaking people.** Gujarat was established as the 15th state of the Indian Union.

**In 1966, the State of Punjab was bifurcated to create Haryana**, the 17th state of the Indian Union, and the union territory of Chandigarh.

**In 2000, three more new States of Chhattisgarh, Uttarakhand and Jharkhand were created out of the territories of Madhya Pradesh, Uttar Pradesh and Bihar, respectively.** These became the 26th, 27th and 28th states of the Indian Union, respectively.

**In 2014, the new state of Telangana came into existence.** It was carved out of the territories of Andhra Pradesh.

Q.32)

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

**Statement 1 is incorrect.** The **Census is a statutory exercise** conducted under the provisions of the **Census Act 1948** and Rules made there under. On the other hand, the **NPR** is being created under the provisions of the **Citizenship Act and Rules**.

**Statement 2 is incorrect.** The NPR database would **contain demographic as well as biometric particulars**. The NPR would have the data of every person enumerated during the Census operations irrespective of age. **It would also have the biometric data** and UID Number of every person of age 15 years and above. National Identity Cards will be given in a phased manner to all usual residents by the Office of the Registrar General and Census Commissioner, India.

**Statement 3 is correct.** The NPR is a comprehensive identity database that **helps in better targeting of the benefits and services** under the Government schemes/programmes, improve planning and help strengthen security of the country.

**Statement 4 is correct.** All information collected under the Census is **confidential and will not be shared with any agency – Government or private**. Certain information collected under the NPR will be published in the local areas for public scrutiny and invitation of objections. After the NPR has been finalized, the database will be used only within the Government.

Q.36)

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

**Federal Features of the Indian Constitution:** There are a total of seven federal features of the Constitution of India. These are:

- 1) Dual Polity
- 2) Written Constitution
- 3) Division of Powers
- 4) Supremacy of the Constitution
- 5) Rigid Constitution
- 6) Independent Judiciary
- 7) Bicameralism

**Dual Polity:** The Constitution of India provides a dual polity composed of the Union at the Centre and the states at the periphery. Each has been provided with sovereign authority to exercise in the sphere that the Constitution has assigned to them separately. The Union government oversees matters of national importance like defence, international affairs, the currency, communication, and others. The state governments deal with the issues related to public order, agriculture, health, local governance, and other issues of regional and local importance.

**Q.38)**

**Exp) Option a is correct**

**Option a is correct:** Integrated judiciary means that a single system of courts enforces both the Central laws as well as the State laws. The Indian Constitution has established an integrated judicial system with the Supreme Court at the top and the state high courts below it. This **single system of courts enforces both the Central laws as well as the state laws.**

In US, there is a **double system of courts** whereby the **federal laws are enforced by the federal judiciary** and the state laws by the state judiciary.

**Q.44)**

**Exp) Option b is correct.**

Doctrine of proportionality finds its place in the Administrative Law and is used at the stage of Judicial Review. The doctrine asserts that there must be a reasonable connection between the desired result and the measures taken to reach that goal. The proportionality test provides a tool to determine the constitutionality of an action that limits a fundamental right. It requires that a rights-limiting measure should be pursuing a proper purpose and that there is a proper balance between the importance of achieving that purpose and the harm caused by limiting the right.

**Q.45)**

**Exp) option c is correct**

Pair 1 is correctly matched: The Doctrine of Pith and Substance helps in examining the true nature of a legislation and deciding which list it belongs to, central or state. The doctrine is employed in such cases to resolve the inconsistency between laws made by the Centre and the State Legislature. The doctrine was first acknowledged in the Canadian Constitution and in India, it came to be adopted in the pre-independence period, under the Government of India Act, 1935.

Pair 2 is incorrectly matched: The Doctrine of Due process of law, not only checks if there is a law to deprive the life and personal liberty of a person but also see if the law made is fair, just and not arbitrary.

Pair 3 is correctly matched: According to the doctrine of severability, the whole law/act would not be held invalid, but only the provisions which are not in consistency with the Fundamental rights. This doctrine is also known as the doctrine of separability and protects the Fundamental Rights of the citizens. In *A.K. Gopalan v. State of Madras (1950)*, the SC used this doctrine.

Pair 4 is correctly matched: The doctrine of eclipse states that any law that violates fundamental rights is not null or void ab initio, but is only non-enforceable, i.e., it is not dead but inactive. It was first introduced in India in *Bhikaji Narain Dhakras v. State of Madhya Pradesh* (1955). The Supreme Court held that the impugned law became, for the time being, eclipsed by the fundamental right.

**Q.47)**

**Exp) Option a is correct**

Statement 1 is incorrect. The doctrine of colourable legislation is based on the maxim that what one cannot do directly, that cannot be done indirectly. It is applied when the state legislatures have transgressed their power as mentioned in the Constitution while enacting a law. It is also characterized as a fraud on the Constitution because no legislature can violate the Constitution by employing an indirect method.

The doctrine of Pith and Substance holds that the union and state legislatures should not encroach upon each other's domain.

Statement 2 is correct. The court will look into the true nature and character of the legislation and for that its object, purpose or design to make law on a subject is relevant and not its motive. If the law enacted by the legislature is found in substance and in reality, beyond the competence of the legislature enacting it, it will be ultra vires and void, even though it apparently purports to be within the competence of the legislature enacting it. It is the substance of the Act that is material and not merely the form or outward appearance.

Statement 3 is incorrect. Further, if a statute is found to be invalid on the ground of legislative incompetence, it does not permanently inhibit the legislature from re-enacting the same if the power to do so is properly traced and established. In such a situation, it cannot be said that subsequent legislation is merely a colourable legislation or a camouflage to re-enact the invalidated previous legislation.