

Q.1)

Exp) Option b is the correct answer.

Statement 1 is correct: As per the SC, the right to reputation is an integral part of Article 21 of the Constitution. In *Maneka Gandhi v. Union of India* 1978, the SC gave a new dimension to Article 21 and held that the right to live is not merely a physical right but includes within its ambit the right to live with human dignity. So, both rights are part of article 21.

In the **judgment of Subramanian Swamy v. Union of India**, the apex court held that the reputation of an individual is a basic element under Article 21

Statement 2 is correct: Article 12 of the Universal Declaration on Human Rights, 1948 explicitly states about the importance of reputation and honour.

Statement 3 is incorrect: Article 19 of the International Covenant on Civil and Political Rights mentions the right to reputation.

Q.2)

Exp) Option a is the correct answer.

Statement 1 is incorrect: In *Balaji Raghavan vs Union of India* case, the supreme court of India held that 'the Bharat Ratna and the Padma awards cannot be categorized under Article 18(1) as they are not titles but merely an honorary award'.

Statement 2 is incorrect: The Padma Awards Committee is headed by the Cabinet Secretary and includes Home Secretary, Secretary to the President and four to six eminent persons as members. The recommendations of the committee are submitted to the Prime Minister and the President of India for approval.

Statement 3 is correct: The nomination process is open to the public. Even self-nomination can be made. The government allows common citizens to submit nominations for Padma Awards. The nominations, when invited, can be submitted online on the official Padma Awards website, padmaawards.gov.in.

Statement 4 is incorrect. All persons without distinction of race, occupation, position or sex are eligible for these awards. However, Government servants including those working with PSUs, except doctors and scientists, are not eligible for these Awards.

Q.6)

Exp) Option b is the correct answer.

Affirmative action refers to a set of policies and practices within a government or organization seeking to increase the representation of backward groups based on their gender, race, sexuality, creed or nationality in areas in which they are underrepresented such as education and employment. Affirmative actions in India can be categorized into 3 main dimensions, which are given below. Appointment and promotion in government services. (Statement 1 is correct) Reservations in public education institutions. (Statement 2 is correct) Reservation of seats in Central and State legislatures. The purpose of affirmative action is to establish fair access to employment opportunities to create a workforce that is an accurate reflection of the demographics of the qualified available workforce in the relevant job market. Every child to get free education cannot be called as affirmative action, as it is provided to every child irrespective of his/her gender, race, sexuality, caste or nationality. It is an equality of opportunity. (Statement 3 is incorrect)

Q.10)

Exp) Option c is the correct answer.

Untouchability, a practice rooted in the Indian caste system, has been officially abolished in India by the Constitution of India. Article 17 of the Indian Constitution makes it illegal to treat certain people as 'untouchable' and makes it a crime to impose any restrictions based on untouchability.

Statement 1 is correct: Prohibiting people of certain castes from **entering temples is a form of untouchability**. In this practice often individuals from lower castes faced restrictions and discrimination in accessing places of worship, such as temples, due to their caste. It was a practice that denied them equal religious participation and **considered a form of untouchability in India**.

Statement 2 is correct: The Supreme Court held that the **right under Article 17 is available against private individuals** too in "Dr. B. R. Ambedkar vs. The State of Bombay and Others" 1951. Thus, **prohibiting people of certain castes from accessing private hotel services** too is considered a form of **untouchability** in India.

Statement 3 is correct: It is true that **imposing restrictions on people of certain castes** to move freely within nation on account of their caste only is a form of untouchability. For instance, B.R. Ambedkar in his childhood could not travel from one place to another in a cart (Even though he can pay the money) due to the practice of untouchability.

Statement 4 is incorrect: While **Segregation** of students in educational institutions **based on their caste can be considered untouchability in India**, segregation based on their **performance in academics** is not a form of untouchability. For example, organizing **best performing students in one separate class** cannot be considered untouchability.

Statement 5 is correct: **Offering separate, often inferior tumblers or containers to individuals from lower castes** is a clear example of **untouchability**. This practice demonstrates discrimination based on caste and the denial of equal rights and dignity. For instance, the use of a **dual-tumbler system in tea shops in the southern regions of Tamil Nadu** drew widespread notice, as it signifies a practice associated with untouchability.

Q.13)

Exp) Option b is the correct answer.

Statement 1 is correct. Right to Protest is a constitutional right enshrined in Article 19(1) (a), Article 19(1) (b) and Article 19(1) (c) of the Indian Constitution. Supreme Court in its recent order in the farm laws protest in Delhi also stated that farmers have a constitutional right to continue with their protest.

Statement 2 is incorrect. Like other fundamental rights, right to protest is also not absolute and also subject to reasonable restrictions mentioned under Article 19(2) and 19(3) on the following grounds:

1. In the interests of the sovereignty & integrity of India,
 2. The security of the State,
 3. Friendly relations with foreign States,
 4. Violation of Public order,
 5. Decency or morality or in relation to Contempt of court, defamation or incitement of an offence
- The grounds of restrictions based on Violation of public order can be reasonable only when there is evidence that protesters will incite lawless or disorderly acts and that such acts are likely to occur.

Statement 3 is correct. In the Shaheen Bagh judgement, Supreme Court (SC) upheld the right to peaceful protest against the law but also cleared that public ways and public spaces cannot be occupied and that too indefinitely.

Q.15)

Exp) Option a is the correct answer.

Statement 1 is incorrect: The Supreme Court, in the Kesavananda Bharati v. State of Kerala case, 1973, ruled that the right to property was not a fundamental part of the Constitution's basic structure. However, the Court also held that Parliament could not amend the Constitution in a way that would destroy its basic structure. This meant that the right to property could still be amended, but only to a limited extent.

Statement 2 is incorrect: The 44th Amendment Act of 1978 eliminated the right to property as a Fundamental Right by repealing Article 19(1)(f) and Article 31 from Part III. Instead, it introduced a new Article 300A in Part XII, categorizing it as a constitutional or legal right, not a fundamental right.

Statement 3 is correct: The right to property, now a legal right, can be altered through regular parliamentary laws, without requiring a constitutional amendment under article 368. It safeguards private property from executive actions but not legislative actions. If violated, an individual can't directly approach the Supreme Court under Article 32 but can seek redress through the High Court under Article 226. There's no guaranteed right to compensation for private property acquisition or requisition by the state.

Q.26)

Exp) Option d is the correct answer.

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.

Pair 1 is correctly matched: Referendum is a procedure whereby a proposed legislation is referred to the electorate for settlement by their direct votes.

Pair 2 is correctly matched: Initiative is a method by means of which the people can propose a bill to the legislature for enactment.

Pair 3 is correctly matched: Recall is a method by means of which the voters can remove a representative or an officer before the expiry of his term, when he fails to discharge his duties properly.

Pair 4 is correctly matched: Plebiscite is a method of obtaining the opinion of people on any issue of public importance. It is **generally used to solve the territorial disputes**.

Q.28)

Exp) Option c is correct.

Constitution of India does not expressly provide the provisions related to the prisoners' rights but in the case of **T.V. Vatheeswaran v. State of Tamil Nadu**, it was held that the Articles 14, 19 and 21 are available to the prisoners as well as freemen. Prison walls do not keep out fundamental rights.

Article 14 of the Constitution of India says that the State shall not deny to any person **equality before law or the equal protection of laws** within the territory of India.

Article 21 of the Constitution of India says that No person shall be deprived of his life or personal liberty except according to procedure established by law. **This includes right to speedy trial as a fundamental right to the prisoners.**

Right to vote is not available to prisoners in India as of yet.

Q.29)

Exp) option d is correct

A fair trial is an open trial by an impartial judge in which all parties are treated equally.

The Principles of a Fair Trial are:

- Presumption of innocence (The burden of proving the accused guilty is on the prosecution).
- Independent, impartial and competent judge (Sec 479 of the Cr.PC prohibits the trial of a criminal case by a judge who is either party to the suit or is personally interested in the case).
- **Expeditious trial** (SC in Hussainara Khatoon v. State of Bihar, 1979 held that speedy trial is an essential ingredient of Article 21).
- **Hearing should be in open court** (Sec 327(1) of Cr.PC provides for a trial in an open court).
- Knowledge of accusation and adequate opportunity (Sec 211 of the Cr.PC provides for the right of the accused to have a precise and specific accusation).
- **Trial in presence of accused.**
- **Evidence to be taken in presence of accused** (Sec 273 of Cr.PC provides that all evidence to be taken in the presence of the accused or his pleader).
- Cross examination of prosecution witnesses.
- Prohibition of double jeopardy (Article 20(2) of the Constitution provides that no person shall be prosecuted and punished for the same offence more than once).

Q.38)

Exp) Option c is the correct answer.

Pair 1 is correct: In the popular Lily Thomas v Union of India case of 2000, the Supreme Court voided a marriage undertaken by a man who had converted to Islam merely to enter into a second marriage, scathingly remarking, that if a person feigned to have adopted another religion just for worldly gain or benefit, it amounted to "religious bigotry".

- The Allahabad High Court issued many judgments including one laid down a few months ago where it regarded conversions merely for marriage as having the effect of invalidating the marriage. The Calcutta High Court has called conversion merely for marriage as a fraud upon the law.

Pair 2 is correct: The Supreme Court, in *I R Coelho v State of Tamil Nadu*, ruled that laws that violated the basic structure of the Constitution would be open to judicial review, including any law added to the Ninth Schedule after April 24, 1973.

The court in this case laid down that any law or acts infringing upon fundamental rights or violating the basic structure of our constitution would not be exempted from judicial review.

Pair 3 is correct: In the Supreme Court's right to privacy judgment (*Justice K.S. Puttaswamy v. Union of India*), the court held that **Life and personal liberty are inalienable to human existence**. The judgment by the nine-judge bench delivered deals with the issue of **the right to privacy of an individual and its classification as a fundamental right under Article 21 of the Indian Constitution**.

Q.45)

Exp) Option c is correct

Option d is correct. The **44th Amendment Act of 1978 (and not the 42nd Amendment)** directed the states to **minimise inequalities in income**, status, facilities and opportunities (Article 38).

Option a, b and c are incorrect. The **42nd Amendment Act of 1976** added the following four new Directive Principles to the original list:

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 wildlife (Article 48 A).

Q.49)

Exp) Option c is the correct answer.

'Habeas Corpus' literally means "to have the body of". This writ is used to release a person who has been unlawfully detained or imprisoned. By virtue of this writ, the Court directs the person so detained to be brought before it to examine the legality of his detention. Habeas Corpus cannot be issued in the following cases: 1) When detention is lawful 2) When the proceeding is for contempt of a legislature or a court 3) Detention is by a competent court 4) Detention is outside the jurisdiction of the court. The Supreme Court held that the declaration of martial law does not ipso facto result in the suspension of the writ of habeas corpus. A writ of habeas corpus will not lie and will be refused by a court: • where the person or authority against whom habeas corpus is sought is not within the territorial jurisdiction of the court. • Where imprisonment or detention of a person is in accordance with a decision rendered by a court of law or by an authority in accordance with law.