

Q.2)

Exp) Option b is the correct answer.

The nature of executives varies from country to country. Broadly, it can be classified as **Parliamentary system, Presidential system and the Semi-Presidential system**.

Statement 1 is correct: In a Presidential system, the President holds both the ceremonial role of Head of State and the executive role of Head of Government. For example, United States has a Presidential form of government.

Statement 2 is correct: In a Parliamentary system, the executive (the Prime Minister and the Cabinet) is accountable to the legislature (the Parliament or Congress). The legislature can hold votes of **no confidence or censure the executive**, ensuring accountability. For example, India and the United Kingdom operate under a Parliamentary system.

Statement 3 is incorrect: In a Parliamentary system, there can be **either an elected Head of the State or a Monarch**. For example, India has an elected Head of the State, known as the President. On the other hand, the United Kingdom and Canada have a Monarch. Hence, the statement given is incorrect.

Statement 4 is incorrect: **It is incorrect to state that in a Presidential system, only the President can introduce a bill.** For instance, **in the United States, while any member of congress can draft a bill, its formal introduction in the legislature is the exclusive prerogative of members of Congress**. Also, in this context, it should be noted that the President is not a member of the Congress. Certain significant bills, like the annual federal budget, are traditionally introduced upon the President's request (but are not introduced by him).

Q.3)

Exp) Option c is the correct answer.

Constitutional prerogative are the constitutional powers or rights or responsibilities of the President as mentioned in the constitution.

Statement 1 is correct: Under Article 111 the President can return bill except money bill for the reconsideration of the Parliament.

Statement 2 is incorrect: The President cannot return Appropriation Bill (money bill) for the reconsideration of the Parliament.

Statements 3 and 4 are correct: Under Article 85 he can summon both the houses and may dissolve the Lok Sabha.

Q.5)

Exp) Option a is the correct answer.

The 'Kitchen Cabinet' also called as 'Inner Cabinet' is the is the highest informal decision-making body consisting of the Prime Minister as its head and some 15 to 20 most important ministers. It may be composed of not only cabinet ministers but also outsiders like friends and family members of the prime minister. It advises the prime minister on important political and administrative issues and assists him in making crucial decisions.

Q.7)

Exp) Option b is the correct answer

Statement 1 is correct: The Solicitor General of India (SGI) is the second-highest law officer of the country, after the Attorney General of India.

Statement 2 is incorrect: **The SGI is not a constitutional post but a statutory position. Solicitor general and Additional Solicitor Generals' office and duties are governed by Law Officers (Conditions of Service) Rules, 1987.**

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Statement 3 is correct: The SGI is appointed by the Appointments Committee of the Cabinet.

Q.9)

Exp) Option a is the correct answer.

Under Article 72 of the Constitution, the President shall have the power to grant pardons, reprieves, respites or remissions of punishment or to suspend, remit or commute the sentence of a person.

Pair 1 is incorrectly matched. Respite - It denotes awarding a lesser sentence in place of one originally awarded due to some special fact, such as the physical disability of a convict or the pregnancy of a woman offender.

Pair 2 is incorrectly matched. Reprieve - It implies a stay of the execution of a sentence (especially that of death) for a temporary period.

Pair 3 is correctly matched. Remission - It implies reducing the period of a sentence without changing its character.

Q.11)

Exp) Option b is the correct answer.

A semi-presidential system is a type of democratic government that has both a president and a prime minister, who share the executive power. The president is elected by the people and has some constitutional authority, while the prime minister and the cabinet are appointed by the president or the parliament and are accountable to the legislature.

Statement 1 is incorrect: In a semi-presidential system, the President is the head of the state, but not the head of the government. The **head of the government is the Prime Minister**, who shares the executive power with the President.

Statement 2 is correct: In the Semi-Presidential system, the President is directly elected by the citizens, while the Prime minister is appointed by the President or approved by the legislature. E.g., Russia.

Q.13)

Exp) Option a is the correct answer.

Before entering upon his office, the President must make and subscribe to an oath or affirmation. In his oath, the President swears:

- to faithfully execute the office.
- to preserve, protect and defend the Constitution and the law. **Hence, option 1 is correct.**
- to devote himself to the service and well-being of the people of India.

This oath is not taken by the Chief Justice of India, Comptroller and Auditor-General of India and the Prime Minister of India. Hence, **options 2, 3 and 4 are incorrect.**

Q.15)

Exp) Option a is the correct answer.

The Sarkaria Commission was set up in 1983 to examine the centre-state relationship on various matters and to suggest changes within the framework of the Constitution.

Statement 1 is incorrect: According to the Sarkaria Commission report, to be appointed as a Governor: He should be a person who has not taken too great a part in politics generally and particularly in the recent past.

Statement 2 is correct: The Sarkaria Commission recommended that the Vice-President of India and the Speaker of the Lok Sabha should be consulted by the Prime Minister in selecting a Governor.

Statement 3 is incorrect: The Commission recommended that the discretionary powers of the Governor as contained in Article 163 should be left untouched.

Q.21)

Exp) Option c is the correct answer.

Statement 1 is incorrect- Article 163 of the Indian Constitution talks about the **Governor's discretion**. The Constitution states that when there's a doubt about whether something is the governor's decision, the **governor's choice is final. No one can challenge the validity of their actions**, arguing whether they made the right call in their discretion or not. The governor possesses constitutional discretion in the following instances:

1. Reserving a bill for the President's consideration. (Article 200)
2. Recommending the imposition of President's Rule in the state. (Article 356)
3. When performing duties as the administrator of an adjacent union territory (in the case of additional charge). (Article 239)
4. Assessing the royalties payable by the Governments of Assam, Meghalaya, Tripura, and Mizoram to autonomous Tribal District Councils arising from mineral exploration licenses.
5. Requesting information from the chief minister concerning state administrative and legislative matters. (Article 167)

Statement 2 is incorrect- Article 163 outlines the **roles and powers** of the **Council of Ministers** in assisting the **Governor in their functions**, with the **Chief Minister as the head**. This assistance is mandated unless the Constitution requires the Governor to exercise **discretion**. In cases where there is a dispute regarding the Governor's discretion, the **Governor's decision is considered final**, and the **validity of their actions cannot be challenged** on the grounds of their use or non-use of discretion. The **42nd Constitutional Amendment Act, 1976** made the advisory powers of the Council of Ministers **binding on the President**, whereas it is not the case with respect to the State Council of Ministers and the Governor.

Knowledge Base:

The governor, just like the President, also possesses situational discretion, which arises from the specific political circumstances, in the following instances:

- 1) The selection of a chief minister in situations where no political party has a clear majority in the state legislative assembly or when the incumbent chief minister passes away unexpectedly with no clear successor.
- 2) The removal of the council of ministers when it is unable to demonstrate the support of the state legislative assembly.
- 3) The dissolution of the state legislative assembly if the council of ministers has lost its majority.

Q.31)

Exp) Option c is the correct answer.

Statement 1 is correct: The President is an integral part of the Parliament of India, and enjoys certain legislative powers.

- He can summon or prorogue the Parliament and dissolve the Lok Sabha. He can also summon a joint sitting of both the Houses of Parliament, which is presided over by the Speaker of the Lok Sabha.
- He can address the Parliament at the commencement of the first session after each general election and the first session of each year.

Statement 2 is correct: President can send messages to the Houses of Parliament, whether with respect to a bill pending in the Parliament or otherwise.

Statement 3 is correct: He can appoint any member of the Lok Sabha to preside over its proceedings when the offices of both the Speaker and the Deputy Speaker fall vacant. Similarly, he can also appoint any member of the Rajya Sabha to preside over its proceedings when the offices of both the Chairman and the Deputy Chairman fall vacant.

Knowledge Base: Other legislative powers of President:

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- He nominates 12 members of the Rajya Sabha from amongst persons having special knowledge or practical experience in literature, science, art and social service.
- He decides on questions as to disqualifications of members of Parliament, in consultation with the Election Commission.
- His prior recommendation or permission is needed to introduce certain types of bills in Parliament. For example, a bill involving expenditure from the Consolidated Fund of India, or a bill for the alteration of boundaries of states or creation of a new state.
- He can promulgate ordinances when the Parliament is not in session. These ordinances must be approved by the Parliament within six weeks from its reassembly. He can also withdraw an ordinance at any time.
- He lays the reports of the Comptroller and Auditor General, Union Public Service Commission, Finance Commission, and others, before Parliament.
- He can make regulations for the peace, progress and good government of the Andaman and Nicobar Islands, Lakshadweep, Dadra and Nagar Haveli, Daman and Diu and Ladakh. In the case of Puducherry also, the President can legislate by making regulations but only when the assembly is suspended or dissolved.

Q.34)

Exp) Option a is the correct answer.

Since 1950, the President's Rule has been imposed on more than 100 occasions, that is, on an average twice a year. Hence, Article 356 has become one of the most controversial and most criticised provision of the Constitution.

Manipur is the state that has witnessed President's rule the maximum number of times (ten times) among the states of India, followed by Uttar Pradesh (Nine times). Manipur has faced political instability and other factors leading to the imposition of President's rule on several occasions.

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|---------|----|---------------------------------------------------------------|
| Manipur | 10 | 1967, 1967, 1969, 1973, 1977, 1979, 1981, 1992, 1993, 2001 |
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Q.36)

Exp) Option a is the correct answer.

Article 88 of the Indian Constitution provides for the Rights of Ministers as Respects the Houses.

Every minister shall have the **right to speak in and to take part in the proceedings of either House, any joint sitting of the Houses.**

Statement 1 is correct: Every minister shall have the **right to take part** in the proceedings of either House. Every minister shall have the right to take part in the proceedings of any joint sitting of the Houses.

Statement 2 is incorrect: Every minister shall have the **right to take part** in the proceedings of any **Committee of Parliament** of which he **may be named a member**. If he is not a member of the Parliamentary Committee, he cannot take part in its proceedings.

Statement 3 is incorrect: A minister who is a member of one House of Parliament has the right to speak and to take part in the proceedings of the other House also, but **he can vote only in the House of which he is a member.**

Q.43)

Exp) Option c is correct.

Doctrine of Pleasure under the Indian Constitution is based on a common law rule. In England, a servant of the Crown holds office during the pleasure of the Crown and he can be dismissed from the service of Crown at pleasure.

Though doctrine of pleasure is accepted in India as it has developed in England, it has not been completely accepted in India and are provided with safeguards.

- 1) **Article 75:** The Council of Ministers shall hold office during the **pleasure of the President**.
- 2) **Article 76:** The Attorney-General shall hold office during the **pleasure of the President**, and shall receive such remuneration as the President may determine.
- 3) **Article 156:** The Governor of a State shall be appointed by the President by warrant under his hand and seal. The Governor shall hold office during the **pleasure of the President**.
- 4) **239AA. Special provisions with respect to Delhi:** The Chief Minister shall be appointed by the President and other Ministers shall be appointed by the President on the advice of the Chief Minister and the Ministers shall hold office during the **pleasure of the President**.
- 5) **Article 310:** Every person who is a member of a **defence service or of a civil service** of the Union or of an **all-India service** or holds any post connected with defence or any civil post under the Union holds office during the **pleasure of the President**.

The chief election commissioner is provided with the security of tenure. He **cannot be removed from his office except in same manner and on the same grounds as a judge of the Supreme Court**. In other words, he can be removed by the president on the basis of a resolution passed to that effect by both the Houses of Parliament with special majority, either on the ground of proved misbehaviour or incapacity. Thus, he does not hold his office till the pleasure of the president, though he is appointed by him.

Q.46)

Exp) Option b is correct.

Statement 1 is incorrect. The **President (and not Governor)** is empowered to declare an area to be a scheduled area.

Statement 2 is incorrect. The issuance of ordinance is not a discretionary power of the Governor. He can do so only on the recommendation of the Council of Ministers of the concerned state.

Statement 3 is correct. When an ordinary bill is presented to the Governor, he may return the bill for reconsideration of the House or Houses. If the bill is passed by the House or Houses again with or without amendments and presented to the governor for his assent, the governor must give his assent to the bill. Thus, the governor enjoys a 'suspensive veto' under his discretion.

Statement 4 is correct. Governor of a state can recommend the imposition of constitutional emergency in a state to the president. During the period of President's rule in a state, the governor enjoys extensive executive powers as an agent of the President.

Q.49)

Exp) Option c is correct.

Statement 1 is incorrect. He is a nominee of the Central government as he is appointed by the President by warrant under his hand and seal. But its position is not sub-ordinate to the Central government because it is an independent constitutional office and is not under the control of Central government.

Statement 2 is incorrect and Statement 3 is correct. He acts as an agent of Central government, and not that of state government. He is also the chief executive head of the state but he is the nominal executive head. However, the office of Governor is **not an employment under the Union of India as held by supreme court in 1979**.

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Statement 4 is incorrect. In BP Singhal vs. Union of India case, the court said a Governor cannot be removed on the ground that he is **out of sync with the decisions, views and ideologies of the Union Government or the party in power at the Centre**. Nor can he be removed on the ground that the Union Government **has lost confidence in him**. It thus follows that any modification in government at Centre should not be taken as a ground for removal of Governors to make way for those who are favoured by the new government

Q.50)

Exp) Option c is the correct answer.

Article 77 of the Indian Constitution provides for the Conduct of Business of the Government of India.

Statement 1 is incorrect: All executive action of the Government of India shall be expressed to be taken **in the name of the President**. Under the Constitution of India, the head of the Executive is the President. All executive power is vested in him and all executive actions are taken in his name. He is only Constitutional Head of State acting on the aid and advice of the Council of Ministers and as such only the formal Executive.

Statement 2 is incorrect: Orders and other instruments made and executed in the name of the **President** shall be authenticated in such manner as may be specified in **rules to be made by the President**. (Article 77). Further, the validity of an order or instrument which is so authenticated shall not be called in question on the ground that it is not an order or instrument made or executed by the President.

Statement 3 is incorrect: The President **shall make rules** for the more **convenient transaction of the business** of the Government of India, and for the allocation among Ministers of the said business.

Statement 4 is correct: Prime Minister is political head of the services.