

ForumIAS

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# Prelims Marathon

4<sup>th</sup> week July, 2024

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*HISTORY  
ECONOMICS  
POLITY  
SCIENCE AND TECHNOLOGY  
GEOGRAPHY AND ENVIRONMENT*

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FORUMIAS



## Prelims Marathon Compilation July [Fourth Week] 2024

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## State Legislature & State Council of Ministers

**Q.1) Which of the following part of Indian constitution deals with the “State Legislature”?**

- a) Part V
- b) Part VI
- c) Part VII
- d) Part VIII

**ANS: B**

**Explanation:** Articles 168 to 212 in Part VI of the Constitution deal with the organization, composition, duration, officers, procedures, privileges, powers and so on of the state legislature.

Though these are similar to that of Parliament, there are some differences as well.

**Source:** Laxmikanth

**Q.2) Which of the following is not bicameral state in India?**

- a) Kerala
- b) Andhra Pradesh
- c) Karnataka
- d) Bihar

**ANS: A**

**Explanation:** There is no uniformity in the organisation of state legislatures. Most of the states have an unicameral system, while others have a bicameral system.

- At present (2019), only six states have two Houses (bicameral).
- These are Andhra Pradesh, Telangana, Uttar Pradesh, Bihar, Maharashtra and Karnataka.

**Source:** Laxmikanth

**Q.3) Consider the following statements regarding “legislative assembly”:**

1. It consists of representatives directly elected by the people on the basis of universal adult franchise.
2. Its maximum strength is fixed at 500 and minimum strength at 100.

**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:** The legislative assembly consists of representatives directly elected by the people on the basis of universal adult franchise.

- Its maximum strength is fixed at 500 and minimum strength at 60.
- It means that its strength varies from 60 to 500 depending on the population size of the state.

**Source:** Laxmikanth

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**Q.4) Which of the following states legislative assemblies' strength fixed at 30?**

1. Goa
2. Sikkim
3. Arunachal Pradesh

**How many of the statements given above are correct?**

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

**ANS: C**

**Explanation:** In case of Arunachal Pradesh, Sikkim and Goa, the minimum number is fixed at 30 and in case of Mizoram and Nagaland, it is 40 and 46 respectively.

Further, some members of the legislative assemblies in Sikkim and Nagaland are also elected indirectly.

**Source: Laxmikanth**

**Q.5) On what basis a person shall be disqualified for being chosen as and for being a member of the legislative assembly or legislative council of a state?**

1. If he holds any office of profit under the Union or state government.
2. If he is of unsound mind and stands so declared by a court.
3. If he is an undischarged insolvent.

**How many of the statements given above are correct?**

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

**ANS: C**

**Explanation:** Under the Constitution, a person shall be disqualified for being chosen as and for being a member of the legislative assembly or legislative council of a state:

(a) If he holds any office of profit under the Union or state government (except that of a minister or any other office exempted by state legislature).

(b) If he is of unsound mind and stands so declared by a court.

(c) If he is an undischarged insolvent.

**Source: Laxmikanth**

**Q.6) Consider the following statements:**

1. There shall be a Council of Ministers with the Chief Minister as the head to aid and advise the Governor in the exercise of his functions.
2. The advice tendered by Ministers to the Governor shall not be inquired into in any 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:** There shall be a Council of Ministers with the Chief Minister as the head to aid and advice the Governor in the exercise of his functions, except in so far as he is required to exercise his functions in his discretion.

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- If any question arises whether a matter falls within the Governor's discretion or not, decision of the Governor shall be final and the validity of anything done by the Governor shall not be called in question on the ground that he ought or ought not to have acted in his discretion.
- The advice tendered by Ministers to the Governor shall not be inquired into in any court.

**Source: Laxmikanth**

**Q.7) Which constitutional amendment brought the provision of "total number of ministers, including the chief minister, in the council of ministers in a state shall not exceed 15 per cent of the total strength of the legislative assembly of that state"?**

- a) Sixty – fifth
- b) Seventy – eighth
- c) Eighty – fourth
- d) Ninety – first

**ANS: D**

**Explanation:** The total number of ministers, including the chief minister, in the council of ministers in a state shall not exceed 15 per cent of the total strength of the legislative assembly of that state.

- But, the number of ministers, including the chief minister, in a state shall not be less than 12.
- This provision was added by the 91st Amendment Act of 2003.

**Source: Laxmikanth**

**Q.8) Consider the following statements:**

1. The chief minister is appointed by the governor.
2. The other ministers are appointed by the governor on the advice of the chief minister.

**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 chief minister is appointed by the governor. The other ministers are appointed by the governor on the advice of the chief minister.

This means that the governor can appoint only those persons as ministers who are recommended by the chief minister.

**Source: Laxmikanth**

**Q.9) Which of the following article of Indian Constitution clearly states that the council of ministers is collectively responsible to the legislative assembly of the state?**

- a) Article 160
- b) Article 163
- c) Article 164
- d) Article 169

**ANS: C**

**Explanation:** The fundamental principle underlying the working of parliamentary system of government is the principle of collective responsibility.

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- Article 164 clearly states that the council of ministers is collectively responsible to the legislative assembly of the state.
- This means that all the ministers own joint responsibility to the legislative assembly for all their acts of omission and commission. They work as a team and swim or sink together.

**Source: Laxmikanth**

**Q.10) Which of the following provisions are covered under article 110?**

1. The imposition, abolition, remission, alteration or regulation of any tax.
2. The regulation of the borrowing of money by the Union government.
3. The appropriation of money out of the Consolidated Fund of India.

**How many of the statements given above are correct?**

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

**ANS: C**

**Explanation:** Article 110 of the Constitution deals with the definition of money bills. It states that a bill is deemed to be a money bill if it contains 'only' provisions dealing with all or any of the following matters:

1. The imposition, abolition, remission, alteration or regulation of any tax;
2. The regulation of the borrowing of money by the Union government;
3. The custody of the Consolidated Fund of India or the contingency fund of India, the payment of moneys into or the withdrawal of money from any such fund;
4. The appropriation of money out of the Consolidated Fund of India;

**Source: Laxmikanth**

## Supreme Court & Judicial Review

**Q.1) Consider the following statements:**

1. The Indian Constitution has established an integrated judicial system with the Supreme Court at the top and the high court's below it.
2. This single system of courts, adopted from the Government of India Act of 1919.

**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:** Unlike the American Constitution, the Indian Constitution has established an integrated judicial system with the Supreme Court at the top and the high court's 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.

**Source: Laxmikanth**

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### Q.2) Consider the following statements:

1. The Supreme Court of India was inaugurated on January 26, 1950.
2. It succeeded the Federal Court of India, established under the regulating act of 1772.

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 Supreme Court of India was inaugurated on January 28, 1950.

It succeeded the Federal Court of India, established under the Government of India Act of 1935.

Source: Laxmiaknth

### Q.3) Consider the following statements:

1. Part V of the Constitution deal with the organization, independence, jurisdiction, powers, procedures and so on of the Supreme Court.
2. The Parliament is authorized to regulate above provisions of 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:** Articles 124 to 147 in Part V of the Constitution deal with the organization, independence, jurisdiction, powers, and procedures and so on of the Supreme Court. The Parliament is also authorized to regulate them.

Source: Laxmikanth

### Q.4) Consider the following statements:

1. The judges of the Supreme Court are appointed by the president.
2. The consultation with the chief justice is obligatory in the case of appointment of a judge other than Chief justice.

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 judges of the Supreme Court are appointed by the president.

- The chief justice is appointed by the president after consultation with such judges of the Supreme Court and high courts as he deems necessary.
- The other judges are appointed by president after consultation with the chief justice and such other judges of the Supreme Court and the high court's as he deems necessary.
- The consultation with the chief justice is obligatory in the case of appointment of a judge other than Chief justice.

Source: Laxmikanth

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**Q.5) Which of the following is/are qualifications of Judge?**

1. He should be a citizen of India.
2. He should have been a judge of a High Court for five years.
3. He should be a distinguished jurist in the opinion of the president.

**How many of the statements given above are correct?**

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

**ANS: C**

**Explanation:** A person to be appointed as a judge of the Supreme Court should have the following qualifications:

- He should be a citizen of India.
- He should have been a judge of a High Court (or high courts in succession) for five years;
- He should have been an advocate of a High Court (or High Courts in succession) for ten years; or
- He should be a distinguished jurist in the opinion of the president.

**Source:** Laxmikanth

**Q.6) Consider the following statements:**

1. The salaries, allowances, privileges, leave and pension of the judges of the Supreme Court are determined from time to time by the Parliament.
2. The retired chief justice and judges are entitled to 50 per cent of their last drawn salary as monthly pension.

**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 salaries, allowances, privileges, leave and pension of the judges of the Supreme Court are determined from time to time by the Parliament.

The retired chief justice and judges are entitled to 50 per cent of their last drawn salary as monthly pension.

**Source:** Laxmikanth

**Q.7) Consider the following statements regarding “tenure of judges”:**

1. He holds office until he attains the age of 65 years.
2. He can resign his office by writing to the president.

**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 has not fixed the tenure of a judge of the Supreme Court. However, it makes the following three provisions in this regard:



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1. He holds office until he attains the age of 65 years. Any question regarding his age is to be determined by such authority and in such manner as provided by Parliament.
2. He can resign his office by writing to the president.
3. He can be removed from his office by the President on the recommendation of the Parliament.

**Source: Laxmikanth**

**Q.8) Consider the following statements regarding “removal of judges”:**

1. A judge of the Supreme Court can be removed from his Office by an order of the president.
2. The President can issue the removal order only after an address by Parliament has been presented to him in the same session for such removal.

**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 judge of the Supreme Court can be removed from his Office by an order of the president. The President can issue the removal order only after an address by Parliament has been presented to him in the same session for such removal.

**Source: Laxmikanth**

**Q.9) Consider the following statements:**

1. The Constitution declares Delhi as the seat of the Supreme Court.
2. The Constitution authorizes the chief justice of India to appoint other place or places as seat of 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 Constitution declares Delhi as the seat of the Supreme Court.

- But, it also authorizes the chief justice of India to appoint other place or places as seat of the Supreme Court.
- He can take decision in this regard only with the approval of the President.

**Source: Laxmikanth**

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**Q.10) Consider the following statements:**

1. The Supreme Court can, with the approval of the president, make rules for regulating generally the practice and procedure of the Court.
2. The Constitutional cases or references made by the President under Article 143 are decided by a Bench consisting of at least five judges.

**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 Supreme Court can, with the approval of the president, make rules for regulating generally the practice and procedure of the Court.

- The Constitutional cases or references made by the President under Article 143 are decided by a Bench consisting of at least five judges.
- All other cases are decided by single judges and division benches.

**Source: Laxmikanth**

## Supreme Court & Judicial Review – II

**Q.1) Consider the following statements regarding “procedure of Supreme Court”:**

1. The Supreme Court without the approval of the president, make rules for regulating generally the practice and procedure of the Court.
2. The constitutional cases are decided by single judge benches only.

**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 Supreme Court can, with the approval of the president, make rules for regulating generally the practice and procedure of the Court.

- The Constitutional cases or references made by the President under Article 143 are decided by a Bench consisting of at least five judges.
- All other cases are decided by single judges and division benches. The judgements are delivered by the open court.
- All judgements are by majority vote but if differing, then judges can give dissenting judgements or opinions.

**Source: Laxmikanth**

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**Q.2) Which of the following role/s is/are played by Supreme Court?**

1. Federal court
2. Highest court of appeal
3. Guardian 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:** The Supreme Court has been assigned a very significant role in the Indian democratic political system.

It is a federal court, the highest court of appeal, the guarantor of the fundamental rights of the citizens and guardian of the Constitution.

**Source: Laxmikanth**

**Q.3) Consider the following statements:**

1. The Constitution prohibits any discussion in Parliament or in a State Legislature with respect to the conduct of the judges of the Supreme Court.
2. The retired judges of the Supreme Court are prohibited from pleading or acting in any 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 Constitution prohibits any discussion in Parliament or in a State Legislature with respect to the conduct of the judges of the Supreme Court in the discharge of their duties, except when an impeachment motion is under consideration of the Parliament.

The retired judges of the Supreme Court are prohibited from pleading or acting in any Court or before any authority within the territory of India. This ensures that they do not favour any one in the hope of future favour.

**Source: Laxmikanth**

**Q.4) Consider the following statements:**

1. The Parliament is authorized to curtail the jurisdiction and powers of the Supreme Court.
2. The Chief Justice of India can appoint officers and servants of the Supreme Court without any interference from the executive.

**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 Chief Justice of India can appoint officers and servants of the Supreme Court without any interference from the executive. He can also prescribe their conditions of service.

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- The Parliament is not authorized to curtail the jurisdiction and powers of the Supreme Court.
- The Constitution has guaranteed to the Supreme Court, jurisdiction of various kinds. However, the Parliament can extend the same.

**Source: Laxmikanth**

**Q.5) Consider the following statements regarding “Supreme Court”:**

1. It is not only a Federal Court like the American Supreme Court but also a final court of appeal like the British House of Lords.
2. It is the final interpreter and guardian of the Constitution and guarantor of the fundamental rights of the citizens.

**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 has conferred a very extensive jurisdiction and vast powers on the Supreme Court.

- It is not only a Federal Court like the American Supreme Court but also a final court of appeal like the British House of Lords (the Upper House of the British Parliament).
- It is also the final interpreter and guardian of the Constitution and guarantor of the fundamental rights of the citizens.

**Source: Laxmikanth**

**Q.6) With respect to original jurisdiction of Supreme Court, the Supreme Court decides the disputes?**

1. Between the Centre and one or more states.
2. Between the Centre and any state or states on one side and one or more other states on the other side.
3. Between two or more states.

**How many of the statements given above are correct?**

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

**ANS: C**

**Explanation:** As a federal court, the Supreme Court decides the disputes between different units of the Indian Federation. More elaborately, any dispute:

- (a) Between the Centre and one or more states; or
- (b) Between the Centre and any state or states on one side and one or more other states on the other side; or
- (c) Between two or more states.

**Source: Laxmikanth**

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**Q.7) Which of the following matters comes under the ambit of “original jurisdiction” of Supreme Court?**

1. Inter-state water disputes
2. Matters referred to the Finance Commission
3. Adjustment of certain expenses and pensions between the Centre and the states

**How many of the statements given above are correct?**

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

**ANS: D**

**Explanation:** The original jurisdiction of the Supreme Court does not extend to the following:

- (a) A dispute arising out of any pre-Constitution treaty, agreement, covenant, engagement, sanad or other similar instrument.
- (b) A dispute arising out of any treaty, agreement, etc., which specifically provides that the said jurisdiction does not extend to such a dispute.
- (c) Inter-state water disputes.
- (d) Matters referred to the Finance Commission.
- (e) Adjustment of certain expenses and pensions between the Centre and the states.
- (f) Ordinary dispute of Commercial nature between the Centre and the states.
- (g) Recovery of damages by a state against the Centre.

**Source: Laxmikanth**

**Q.8) Which of the following writs issued by Supreme Court?**

1. habeas corpus
2. mandamus
3. prohibition

**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 has constituted the Supreme Court as the guarantor and defender of the fundamental rights of the citizens.

The Supreme Court is empowered to issue writs including habeas corpus, mandamus, prohibition, quo warranto and certiorari for the enforcement of the fundamental rights of an aggrieved citizen.

**Source: Laxmikanth**

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**Q.9) In which of the following matters Supreme Court hear appeals?**

1. constitutional matters
2. special leave
3. criminal matters

**How many of the statements given above are correct?**

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

**ANS: C**

**Explanation:** The Supreme Court is primarily a court of appeal and hears appeals against the judgements of the lower courts.

It enjoys a wide appellate jurisdiction which can be classified under four heads: (a) Appeals in constitutional matters. (b) Appeals in civil matters. (c) Appeals in criminal matters. (d) Appeals by special leave.

**Source: Laxmikanth**

**Q.10) Which article of Indian Constitution authorizes the president to seek the opinion of the Supreme Court?**

- a) Article 121
- b) Article 134
- c) Article 143
- d) Article 149

**ANS: C**

**Explanation:** The Constitution (Article 143) authorises the president to seek the opinion of the Supreme Court in the two categories of matters:

(a) On any question of law or fact of public importance which has arisen or which is likely to arise.

(b) On any dispute arising out of any pre-constitution treaty, agreement, covenant, engagement, sanad or other similar instruments.

**Source: Laxmikanth**

## Supreme Court, Judicial Review and PIL

**Q.1) Consider the following statements:**

1. With respect to writ jurisdiction, Supreme Court has wider jurisdiction than the high courts.
2. President can confer more writ jurisdiction powers to Supreme Court without parliament 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: D**

**Explanation:** There is also a difference between the writ jurisdiction of the Supreme Court and that of the high court.

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- The Supreme Court can issue writs only for the enforcement of the Fundamental Rights and not for other purposes.
- The high court, on the other hand, can issue writs not only for the enforcement of the fundamental rights but also for other purposes.
- It means that the writ jurisdiction of the high court is wider than that of the Supreme Court.
- But, the Parliament can confer on the Supreme Court, the power to issue writs for other purposes also.

**Source: Laxmikanth**

**Q.2) Which constitutional amendment removed the monetary limit of civil cases appealing to Supreme Court from High Court?**

- a) Seventh
- b) Thirteenth
- c) Twenty seventh
- d) Thirtieth

**ANS: D**

**Explanation:** Originally, only those civil cases that involved a sum of ₹20,000 could be appealed before the Supreme Court.

But this monetary limit was removed by the 30th Constitutional Amendment Act of 1972.

**Source: Laxmikanth**

**Q.3) Which of the following statements is/are correct about “special leave petition”?**

1. It is not a discretionary power of Supreme Court.
2. It granted against only High Court judgements.
3. Article 143 of Indian Constitution has provisions related to special leave petition.

**How many of the statements given above are correct?**

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

**ANS: D**

**Explanation:** The Supreme Court is authorized to grant in its discretion special leave to appeal from any judgement in any matter passed by any court or tribunal in the country (except military tribunal and court martial).

Article 136 of the Indian Constitution, allows the Supreme Court to grant special leave to appeal against any judgment or order in any matter or case, made by any court or tribunal in the country.

**Source: Laxmikanth**

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**Q.4) Consider the following statements regarding “advisory jurisdiction” of Supreme Court:**

1. Supreme Court cannot refuse the opinion seek by President.
2. The President has till date used advisory jurisdiction only 15 times.

**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 Constitution (Article 143) authorizes the president to seek the opinion of the Supreme Court in the two categories of matters:

(a) On any question of law or fact of public importance which has arisen or which is likely to arise.

(b) On any dispute arising out of any pre-constitution treaty, agreement, covenant, engagement, sanad or other similar instruments.

- In the first case, the Supreme Court may tender or may refuse to tender its opinion to the president. But, in the second case, the Supreme Court ‘must’ tender its opinion to the president.
- So far the President has made fifteen references to the Supreme Court under its advisory jurisdiction (also known as consultative jurisdiction).

**Source: Laxmikanth**

**Q.5) Which of the following is/are comes under criminal contempt of Supreme Court?**

1. Willful disobedience to any judgement.
2. Scandalizes or lowers the authority of a court.
3. Prejudices or interferes with the due course of a judicial proceeding.

**How many of the statements given above are correct?**

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

**ANS: B**

**Explanation:** Contempt of court may be civil or criminal. Civil contempt means willful disobedience to any judgement, order, writ or other process of a court or willful breach of an undertaking given to a court.

Criminal contempt means the publication of any matter or doing an act which–(i) scandalizes or lowers the authority of a court; or (ii) prejudices or interferes with the due course of a judicial proceeding; or (iii) interferes or obstructs the administration of justice in any other manner.

**Source: Laxmikanth**



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**Q.6) Which of the following doctrine/s is/are applied by Supreme Court while interpreting the constitution?**

1. Doctrine of Severability
2. Doctrine of Waiver
3. Doctrine of Eclipse

**How many of the statements given above are correct?**

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

**ANS: C**

**Explanation:** While interpreting the constitution, the Supreme Court is guided by a number of doctrines. In other words, the Supreme Court applies various doctrines in interpreting the constitution. The important doctrines are mentioned below:

1. Doctrine of Severability
2. Doctrine of Waiver
3. Doctrine of Eclipse
4. Doctrine of Territorial Nexus
5. Doctrine of Pith and Substance
6. Doctrine of Colorable Legislation

**Source: Laxmikanth**

**Q.7) Consider the following statements:**

1. Supreme Court decides the disputes regarding the election of the president and the vice-president.
2. Supreme Court is bound by its previous decision and cannot depart from it.

**Which of the statements given above is/are not correct?**

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

**ANS: B**

**Explanation:** Supreme Court decides the disputes regarding the election of the president and the vice-president. In this regard, it has the original, exclusive and final authority.

It has power to review its own judgement or order. Thus, it is not bound by its previous decision and can depart from it in the interest of justice or community welfare.

**Source: Laxmikanth**

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**Q.8) Arrange the following cases in chronological order:**

1. Minerva Mills case
2. Golak Nath case
3. Kesavananda Bharati case

**Select the correct answer using the code given below:**

- a) 1 - 2 - 3
- b) 2 - 3 - 1
- c) 2 - 1 - 3
- d) 3 - 2 - 1

**ANS: B**

**Explanation:** Golaknath case (1967): The questions in this case were whether amendment is a law; and whether Fundamental Rights can be amended or not.

- SC contented that Fundamental Rights are not amenable to the Parliamentary restriction as stated in Article 13, and that to amend the Fundamental rights a new Constituent Assembly would be required.
- Also stated that Article 368 gives the procedure to amend the Constitution but does not confer on Parliament the power to amend the Constitution.

Kesavananda Bharati case (1973): This judgement defined the basic structure of the Constitution.

- The SC held that although no part of the Constitution, including Fundamental Rights, was beyond the Parliament's amending power, the "basic structure of the Constitution could not be abrogated even by a constitutional amendment."

Minerva Mills case (1980): This case again strengthens the Basic Structure doctrine.

- The judgement struck down 2 changes made to the Constitution by the 42nd Amendment Act 1976, declaring them to be violative of the basic structure.
- The judgement makes it clear that the Constitution and not the Parliament is supreme.

**Source: Laxmikanth**

**Q.9) Consider the following statements regarding "Senior Advocates":**

1. These are Advocates designated as Senior Advocates by Parliament or by any State Legislatures.
2. He is entitled to appear without an Advocate-on-Record in 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: D**

**Explanation:** Senior Advocates: These are Advocates who are designated as Senior Advocates by the Supreme Court of India or by any High Court.

- The Court can designate any Advocate, with his consent, as Senior Advocate if in its opinion by virtue of his ability, standing at the Bar or special knowledge or experience in law the said Advocate is deserving of such distinction.
- A Senior Advocate is not entitled to appear without an Advocate-on-Record in the Supreme Court or without a junior in any other court or tribunal in India.

**Source: Laxmikanth**

## Prelims Marathon Compilation July [Fourth Week] 2024

**Q.10) The doctrine of judicial review originated and developed in which of the following country?**

- a) Britain
- b) New Zealand
- c) France
- d) United States of America

**ANS: D**

**Explanation:** The doctrine of judicial review originated and developed in the USA.

It was propounded for the first time in the famous case of Marbury versus Madison (1803) by John Marshall, the then chief justice of the American Supreme Court.

**Source: Laxmikanth**

### High Court & Tribunals

**Q.1) Which of the following high courts were set up under “provisions of the Indian High Courts Act, 1861”?**

- 1. Calcutta
- 2. Bombay
- 3. Allahabad

**How many of the statements given above are correct?**

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

**ANS: B**

**Explanation:** The institution of high court originated in India in 1862 when the high courts were set up at Calcutta, Bombay and Madras.

These three high courts were set up under the provisions of the Indian High Courts Act, 1861.

**Source: Laxmikanth**

**Q.2) Consider the following statements:**

- 1. Forty – second Amendment Act of 1972 authorized the Parliament to establish a common high court for two or more states or for two or more states and a union territory.
- 2. At present there are 29 high courts in the country.

**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 Constitution of India provides for a high court for each state, but the Seventh Amendment Act of 1956 authorized the Parliament to establish a common high court for two or more states or for two or more states and a union territory.

At present (2019), there are 25 high courts in the country.

**Source: Laxmikanth**

## Prelims Marathon Compilation July [Fourth Week] 2024

### Q.3) Which of the following statements is/are correct about high courts?

1. Since 1971, Delhi has separate court high court.
2. The union territories of Jammu and Kashmir and Ladakh have a common high court.
3. The State Legislature can extend the jurisdiction of a high court to any union territory or exclude the jurisdiction of a high court from any union territory.

#### How many of the statements given above are correct?

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

#### ANS: A

**Explanation:** Among the union territories, Delhi alone has a separate high court (since 1966).

- The union territories of Jammu and Kashmir and Ladakh have a common high court. The other union territories fall under the jurisdiction of different state high courts.
- The Parliament can extend the jurisdiction of a high court to any union territory or exclude the jurisdiction of a high court from any union territory.

**Source: Laxmikanth**

### Q.4) Consider the following statements regarding composition of high court:

1. The Constitution does not specify the strength of a high court and leaves it to the discretion of the State Legislature.
2. The judges of a high court are appointed by the President.

#### 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:** Every high court (whether exclusive or common) consists of a chief justice and such other judges as the president may from time to time deem necessary to appoint.

- Thus, the Constitution does not specify the strength of a high court and leaves it to the discretion of the president.
- The judges of a high court are appointed by the President.
- The chief justice is appointed by the President after consultation with the chief justice of India and the governor of the state concerned.

**Source: Laxmikanth**

## Prelims Marathon Compilation July [Fourth Week] 2024

**Q.5) Which of the following is/are qualifications to be a judge of a high court?**

1. He should be a citizen of India.
2. He should have held a judicial office in the territory of India for ten years.
3. He should be a distinguished jurist in the opinion of the Governor.

**How many of the statements given above are correct?**

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

**ANS: B**

**Explanation:** A person to be appointed as a judge of a high court should have the following qualifications:

- He should be a citizen of India.
- He should have held a judicial office in the territory of India for ten years;
- He should have been an advocate of a high court (or high courts in succession) for ten years.
- From the above, it is clear that the Constitution has not prescribed a minimum age for appointment as a judge of a high court.
- Moreover, unlike in the case of the Supreme Court, the Constitution makes no provision for appointment of a distinguished jurist as a judge of a high court.

**Source: Laxmikanth**

**Q.6) Consider the following statements:**

1. The salaries, allowances, privileges, leave and pension of the judges of a high court are determined from time to time by the Parliament.
2. The retired chief justice and judges are entitled to 50% of their last drawn salary as monthly pension.

**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 salaries, allowances, privileges, leave and pension of the judges of a high court are determined from time to time by the Parliament.

- They cannot be varied to their disadvantage after their appointment except during a financial emergency.
- The retired chief justice and judges are entitled to 50% of their last drawn salary as monthly pension.

**Source: Laxmikanth**

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**Q.7) Consider the following statements regarding tenure of a judge of high court:**

1. He holds office until he attains the age of 62 years.
2. He can resign his office by writing to the Governor.

**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:** The Constitution has not fixed the tenure of a judge of a high court. However, it makes the following four provisions in this regard:

1. He holds office until he attains the age of 62 years. Any questions regarding his age is to be decided by the president after consultation with the chief justice of India and the decision of the president is final.
2. He can resign his office by writing to the president.
3. He can be removed from his office by the President on the recommendation of the Parliament.

**Source: Laxmikanth**

**Q.8) Consider the following statements:**

1. A judge of a high court can be removed from his office by an order of the President.
2. The President can issue the removal order only after an address by the State Legislature has been presented to him in the same session for such removal.

**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:** A judge of a high court can be removed from his office by an order of the President.

- The President can issue the removal order only after an address by the Parliament has been presented to him in the same session for such removal.
- The address must be supported by a special majority of each House of Parliament (i.e., a majority of the total membership of that House and majority of not less than two-thirds of the members of that House present and voting).

**Source: Laxmikanth**

**Q.9) Which of the following provisions comes under the original jurisdiction of a high court?**

1. Matters of admiralty and contempt of court.
2. Enforcement of fundamental rights of citizens.
3. Revenue matter or an act ordered or done in revenue collection.

**How many of the statements given above are correct?**

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

**ANS: C**

**Explanation:** Original Jurisdiction of a high court extends to the following:

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- (a) Matters of admiralty and contempt of court.
- (b) Disputes relating to the election of members of Parliament and state legislatures.
- (c) Regarding revenue matter or an act ordered or done in revenue collection.
- (d) Enforcement of fundamental rights of citizens.
- (e) Cases ordered to be transferred from a subordinate court involving the interpretation of the Constitution to its own file.

**Source: Laxmikanth**

**Q.10) Which of the following article of Indian constitution related to writ jurisdiction of a high court?**

- a) Article 32
- b) Article 141
- c) Article 226
- d) Article 361

**ANS: C**

**Explanation:** Article 226 of the Constitution empowers a high court to issue writs including habeas corpus, mandamus, certiorari, prohibition and quo warranto for the enforcement of the fundamental rights of the citizens and for any other purpose.

**Source: Laxmikanth**

## Council of Ministers & Cabinet Committees

**Q.1) Consider the following statements:**

1. There is no explicit provision related to Council of Ministers with the Prime Minister at the head to aid and advise the President.
2. The Prime Minister is appointed by President and other ministers are appointed by Prime Minister.

**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:** Article 74 says that, there shall be a Council of Ministers with the Prime Minister at the head to aid and advise the President who shall, in the exercise of his functions, act in accordance with such advice. The Prime Minister shall be appointed by the President and the other Ministers shall be appointed by the President on the advice of the Prime Minister.

**Source: Laxmikanth**

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**Q.2) Which of the following provisions is/are brought by 91st Amendment Act of 2003?**

1. The Council of Ministers shall not exceed 15% of the total strength of the Lok Sabha.
2. A member of either house of Parliament belonging to any political party who is disqualified on the ground of defection shall also be disqualified to be appointed as a minister.
3. The President shall administer the oaths of office and secrecy to a minister.

**How many of the statements given above are correct?**

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

**ANS: B**

**Explanation:** The total number of ministers, including the Prime Minister, in the Council of Ministers shall not exceed 15% of the total strength of the Lok Sabha.

- This provision was added by the 91st Amendment Act of 2003.
- A member of either house of Parliament belonging to any political party who is disqualified on the ground of defection shall also be disqualified to be appointed as a minister.
- This provision was also added by the 91st Amendment Act of 2003.

**Source: Laxmikanth**

**Q.3) Which of the following statements is/are correct about council of ministers?**

1. The council of ministers shall be collectively responsible to the Lok Sabha.
2. A minister who is not a member of the Parliament for any period of six consecutive months shall cease to be a minister.
3. The salaries and allowances of ministers shall be determined by the President.

**How many of the statements given above are correct?**

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

**ANS: B**

**Explanation:** The council of ministers shall hold office during the pleasure of the President.

- The council of ministers shall be collectively responsible to the Lok Sabha.
- The President shall administer the oaths of office and secrecy to a minister.
- A minister who is not a member of the Parliament (either house) for any period of six consecutive months shall cease to be a minister.
- The salaries and allowances of ministers shall be determined by the Parliament.

**Source: Laxmikanth**



## Prelims Marathon Compilation July [Fourth Week] 2024

### Q.4) Consider the following statements:

1. All executive action of the Government of India shall be expressed to be taken in the name of the Prime Minister.
2. Parliament makes rules for the more convenient transaction of the business of the Government 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: D**

**Explanation:** Article 77–Conduct of Business of the Government of India:

1. All executive action of the Government of India shall be expressed to be taken in the name of the President.
2. 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. 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.
3. 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.

**Source: Laxmikanth**

### Q.5) Which of the following is/are duties of Prime Minister?

1. To communicate to the President all decisions of the Council of Ministers relating to the administration of the affairs of the Union and proposals for legislation.
2. To furnish such information relating to the administration of the affairs of the Union and proposals for legislation as the President may call for.
3. To submit for the consideration of the Council of Ministers any matter on which a decision has been taken by a Minister but which has not been considered by the Council to President.

### How many of the statements given above are correct?

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

**ANS: C**

**Explanation:** Article 78–Duties of Prime Minister: It shall be the duty of the Prime Minister

1. To communicate to the President all decisions of the Council of Ministers relating to the administration of the affairs of the Union and proposals for legislation.
2. To furnish such information relating to the administration of the affairs of the Union and proposals for legislation as the President may call for.
3. If the President so requires, to submit for the consideration of the Council of Ministers any matter on which a decision has been taken by a Minister but which has not been considered by the Council.

**Source: Laxmikanth**

## Prelims Marathon Compilation July [Fourth Week] 2024

**Q.6) Regarding parliament, which of the following are council of ministers' rights?**

1. Take part in proceedings of either of the house.
2. Take part in any joint sitting of the Houses.
3. Take part in voting of any of the houses.

**How many of the statements given above are correct?**

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

**ANS: B**

**Explanation:** Every minister shall have the right to speak and take part in the proceedings of either House, any joint sitting of the Houses and any Committee of Parliament of which he may be named a member. But he shall not be entitled to vote.

**Source: Laxmikanth**

**Q.7) Which of the following constitutional amendments made the advice binding on President given by the council of ministers?**

1. First constitutional amendment
2. Forty second constitutional amendment
3. Forty fourth constitutional amendment

**How many of the statements given above are correct?**

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

**ANS: B**

**Explanation:** Article 74 provides for a council of ministers with the Prime Minister at the head to aid and advice the President in the exercise of his functions.

The 42nd and 44th Constitutional Amendment Acts have made the advice binding on the President.

**NOTE:** Article 74 was amended by the 42nd Constitutional Amendment Act of 1976 to the effect that the president shall, in the exercise of his functions, act in accordance with the advice rendered by the council of ministers.

The 44th Constitutional Amendment Act of 1978 further added a proviso to this article to the effect that the president may require the council of ministers to reconsider such advice and the president shall act in accordance with the advice tendered after such reconsideration.

**Source: Laxmikanth**

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**Q.8) Which of the following persons were resigned from cabinet due to difference of opinion about the cabinet decisions?**

1. B.R. Ambedkar
2. C.D. Deshmukh
3. Arif Mohammed

**How many of the statements given above are correct?**

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

**ANS: C**

**Explanation:** If any minister disagrees with a cabinet decision and is not prepared to defend it, he must resign.

Several ministers have resigned in the past owing to their differences with the cabinet.

- For example, Dr. B.R. Ambedkar resigned because of his differences with his colleagues on the Hindu Code Bill in 1953. C.D. Deshmukh resigned due to his differences on the policy of re-organization of states.
- Arif Mohammed resigned due to his opposition to the Muslim Women (Protection of Rights on Divorce) Act, 1986.

**Source: Laxmikanth**

**Q.9) Which of the following responsibilities held by council of ministers?**

1. Collective responsibility
2. Individual responsibility
3. Legal responsibility

**How many of the statements given above are correct?**

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

**ANS: B**

**Explanation:** The fundamental principle underlying the working of parliamentary system of government is the principle of collective responsibility.

- Article 75 clearly states that the council of ministers is collectively responsible to the Lok Sabha.
- This means that all the ministers own joint responsibility to the Lok Sabha for all their acts of omission and commission. They work as a team and swim or sink together.
- Article 75 also contains the principle of individual responsibility. It states that the ministers hold office during the pleasure of the president, which means that the President can remove a minister even at a time when the council of ministers enjoys the confidence of the Lok Sabha.
- In India, there is no provision in the Constitution for the system of legal responsibility of a minister.

**Source: Laxmikanth**

## Prelims Marathon Compilation July [Fourth Week] 2024

**Q.10) Which of the following is/are consists of council of ministers?**

1. Cabinet ministers
2. Ministers of state
3. Deputy ministers

**How many of the statements given above are correct?**

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

**ANS: C**

**Explanation:** The council of ministers consists of three categories of ministers, namely, cabinet ministers, ministers of state, and deputy ministers.

- The difference between them lies in their respective ranks, emoluments, and political importance.
- At the top of all these ministers stands the Prime Minister—the supreme governing authority of the country.

**Source: Laxmikanth**

## Revision

**Q.1) The “Part XIV-A” of Indian constitution related to which of the following?**

- a) Tribunals
- b) Scheduled areas
- c) Particularly vulnerable tribal groups
- d) Languages

**ANS: A**

**Explanation:** The original Constitution did not contain provisions with respect to tribunals. The 42nd Amendment Act of 1976 added a new Part XIV-A to the Constitution.

**Source: Laxmikanth**

**Q.2) Which of the following employees is/are covered under article 323 – A?**

1. Corporations
2. Local bodies
3. State government

**How many of the statements given above are correct?**

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

**ANS: C**

**Explanation:** Article 323 A empowers the Parliament to provide for the establishment of administrative tribunals for the adjudication of disputes relating to recruitment and conditions of service of persons appointed to public services of the Centre, the states, local bodies, public corporations and other public authorities.

**Source: Laxmikanth**

## Prelims Marathon Compilation July [Fourth Week] 2024

**Q.3) In which of the following year Administrative Tribunals Act was passed?**

- a) 1981
- b) 1985
- c) 1989
- d) 2002

**ANS: B**

**Explanation:** In pursuance of Article 323 A, the Parliament has passed the Administrative Tribunals Act in 1985.

The act authorizes the Central government to establish one Central administrative tribunal and the state administrative tribunals.

**Source: Laxmikanth**

**Q.4) Consider the following statements regarding “Central Administrative Tribunal (CAT)”:**

1. It exercises original jurisdiction in relation to recruitment and all service matters of public servants.
2. It is a single member body.

**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:** The CAT exercises original jurisdiction in relation to recruitment and all service matters of public servants covered by it.

- Its jurisdiction extends to the all-India services, the Central civil services, civil posts under the Centre and civilian employees of defense services.
- The CAT is a multi-member body consisting of a chairman and members.

**Source: Laxmikanth**

**Q.5) Consider the following statements regarding “Central Administrative Tribunal (CAT)”:**

1. It is bound by the procedure laid down in the Civil Procedure Code of 1908.
2. It is guided by the principles of natural justice.

**Which of the statements given above is/are not correct?**

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

**ANS: A**

**Explanation:** The CAT is not bound by the procedure laid down in the Civil Procedure Code of 1908.

It is guided by the principles of natural justice. These principles keep the CAT flexible in approach.

**Source: Laxmikanth**

## Prelims Marathon Compilation July [Fourth Week] 2024

**Q.6) Consider the following statements regarding “Central Administrative Tribunal (CAT)”:**

1. It will not charge fees from applicant.
2. Applicant may appear either in person or through a lawyer.

**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:** Only a nominal fee of ₹50 is to be paid by the applicant. The applicant may appear either in person or through a lawyer.

**Source: Laxmikanth**

**Q.7) Which of the following case removed the restrictions on high courts to hear appeals from “Central administrative Tribunal”?**

- a) Golaknath case
- b) Minerva mills
- c) Berubari union
- d) Chandra Kumar case

**ANS: D**

**Explanation:** Originally, appeals against the orders of the CAT could be made only in the Supreme Court and not in the high courts.

However, in the Chandra Kumar case (1997), the Supreme Court declared this restriction on the jurisdiction of the high court’s as unconstitutional, holding that judicial review is a part of the basic structure of the Constitution.

**Source: Laxmikanth**

**Q.8) Consider the following statements:**

1. There is no provision for setting up of joint administrative tribunal (JAT) for two or more states in Administrative Tribunals Act.
2. The chairman and members of the State Administrative Tribunals are appointed by the president after consultation with the governor of the state concerned.

**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 chairman and members of the SATs are appointed by the president after consultation with the governor of the state concerned.

- The act also makes a provision for setting up of joint administrative tribunal (JAT) for two or more states.
- A JAT exercises all the jurisdiction and powers exercisable by the administrative tribunals for such states.

**Source: Laxmikanth**

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**Q.9) Which of the following matters covered under article 323 – B?**

1. Taxation
2. Land reforms
3. Food stuffs

**How many of the statements given above are correct?**

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

**ANS: C**

**Explanation:** Under Article 323 B, the Parliament and the state legislatures are authorized to provide for the establishment of tribunals for the adjudication of disputes relating to the following matters:

- (a) Taxation
- (b) Foreign exchange, import and export
- (c) Industrial and labour
- (d) Land reforms
- (e) Ceiling on urban property
- (f) Elections to Parliament and state legislatures
- (g) Food stuffs
- (h) Rent and tenancy rights

**Source: Laxmikanth**

**Q.10) The “Keibul Lamjao National Park” is recently seen in news located at?**

- a) Nagaland
- b) Assam
- c) Manipur
- d) Tripura

**ANS: C**

**Explanation:** Keibul Lamjao National Park: The Park is located in the south western part of the Loktak Lake. This is the last natural habitat of the brow-antlered deer (Sangai) the dancing deer of Manipur.

Keibul Lamjao National Park is the only floating park in the world.

**Source: Laxmikanth**

## Local Government

**Q.1) Which of the following committee recommended the “democratic decentralization”?**

- a) Nehru committee
- b) Sardar Vallabhai Patel committee
- c) Balwant Rai Mehta committee
- d) Krishna committee

**ANS: C**

**Explanation:** In January 1957, the Government of India appointed a committee to examine the working of the Community Development Programme (1952) and the National Extension Service (1953) and to suggest measures for their better working. The chairman of this committee was Balwant Rai G Mehta.

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The committee submitted its report in November 1957 and recommended the establishment of the scheme of 'democratic decentralization', which ultimately came to be known as Panchayati Raj.

**Source: Laxmikanth**

**Q.2) Which of the following recommendations given by "Balwant Rai G Mehta committee"?**

1. Establishment of a two-tier panchayati raj system.
2. The village panchayat should be constituted with directly elected representatives.
3. The district collector should be the chairman of the zila parishad.

**How many of the statements given above are correct?**

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

**ANS: B**

**Explanation:** The specific recommendations made by Balwant Rai G Mehta committee are:

1. Establishment of a three-tier panchayati raj system—gram panchayat at the village level, panchayat samiti at the block level and zila parishad at the district level. These tiers should be organically linked through a device of indirect elections.
2. The village panchayat should be constituted with directly elected representatives, whereas the panchayat samiti and zila parishad should be constituted with indirectly elected members.
3. All planning and development activities should be entrusted to these bodies.
4. The panchayat samiti should be the executive body while the zila parishad should be the advisory, coordinating and supervisory body.
5. The district collector should be the chairman of the zila parishad.

**Source: Laxmikanth**

**Q.3) Which of the following state was the first state to establish Panchayati Raj?**

- a) Andhra Pradesh
- b) Tamil Nadu
- c) Rajasthan
- d) Uttar Pradesh

**ANS: C**

**Explanation:** Rajasthan was the first state to establish Panchayati Raj. The scheme was inaugurated by the prime minister on October 2, 1959, in Nagaur district.

Rajasthan was followed by Andhra Pradesh, which also adopted the system in 1959. Thereafter, most of the states adopted the system.

**Source: Laxmikanth**



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**Q.4) Consider the following statements:**

1. Indira Gandhi government appointed Ashok Mehta committee.
2. Ashok Mehta committee recommended three tier system of panchayati raj.

**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:** In December 1977, the Janata Government appointed a committee on panchayati raj institutions under the chairmanship of Ashok Mehta.

- It submitted its report in August 1978 and made 132 recommendations to revive and strengthen the declining panchayati raj system in the country.
- Committee recommended the two tier panchayati raj system.

**Source: Laxmikanth**

**Q.5) Which of the following recommendations given by “Ashok Mehta Committee”?**

1. No population limit at mandal level.
2. A district should be the first point for decentralization under popular supervision below the state level.
3. Zila parishad should be the executive body and made responsible for planning at the district level.

**How many of the statements given above are correct?**

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

**ANS: B**

**Explanation:** Ashok Mehta Committee main recommendations were:

1. The three-tier system of panchayati raj should be replaced by the two-tier system, that is, zila parishad at the district level, and below it, the mandal panchayat consisting of a group of villages with a total population of 15,000 to 20,000.
2. A district should be the first point for decentralisation under popular supervision below the state level.
3. Zila parishad should be the executive body and made responsible for planning at the district level.

**Source: Laxmikanth**

**Q.6) Who among the following headed the committee to review the existing Administrative Arrangements for Rural Development and Poverty Alleviation Programmes?**

- a) Balwant Rai G Mehta
- b) Ashok Mehta
- c) G V K Rao
- d) L M Singhvi

**ANS: C**

**Explanation:** The Committee to review the existing Administrative Arrangements for Rural Development and Poverty Alleviation Programmes under the chairmanship of G.V.K. Rao was appointed by the Planning Commission in 1985.

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The Committee came to conclusion that the developmental process was gradually bureaucratized and divorced from the Panchayati Raj.

**Source: Laxmikanth**

**Q.7) Which of the following article of Indian Constitution says that “The State shall take steps to organise village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government”?**

- a) Article 40
- b) Article 44
- c) Article 243
- d) Article 245

**ANS: A**

**Explanation:** The 73rd amendment act of 1992 has given a practical shape to Article 40 of the Constitution which says that, “The State shall take steps to organize village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government.”

This article forms a part of the Directive Principles of State Policy.

**Source: Laxmikanth**

**Q.8) Which of the following statements about 73<sup>rd</sup> constitutional amendment act is/are correct?**

1. It gives a constitutional status to the panchayati raj institutions.
2. It has brought panchayati raj institutions under the purview of the justiciable part of the Constitution.
3. The provisions of the act were divided into three categories – compulsory, voluntary and specific.

**How many of the statements given above are correct?**

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

**ANS: B**

**Explanation:** 73<sup>rd</sup> constitutional amendment act gives a constitutional status to the panchayati raj institutions.

- It has brought them under the purview of the justiciable part of the Constitution.
- In other words, the state governments are under constitutional obligation to adopt the new panchayati raj system in accordance with the provisions of the act.
- Consequently, neither the formation of panchayats nor the holding of elections at regular intervals depends on the will of the state government any more.
- The provisions of the act can be grouped into two categories– compulsory and voluntary.

**Source: Laxmikanth**

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### Q.9) Consider the following statements regarding “Gram Sabha”:

1. It is a body consisting of persons registered in the electoral rolls of a village comprised within the area of Panchayat at the village level.
2. It may exercise such powers and perform such functions at the village level as the legislature of a state determines.

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 73<sup>rd</sup> constitutional amendment act provides for a Gram Sabha as the foundation of the panchayati raj system.

- It is a body consisting of persons registered in the electoral rolls of a village comprised within the area of Panchayat at the village level.
- Thus, it is a village assembly consisting of all the registered voters in the area of a panchayat.
- It may exercise such powers and perform such functions at the village level as the legislature of a state determines.

**Source: Laxmikanth**

### Q.10) Consider the following statements regarding reservation of seats in panchayati raj:

1. The 73<sup>rd</sup> constitutional amendment act provides for the reservation of seats for scheduled castes and scheduled tribes in every panchayat in proportion of their population to the total population in the panchayat area.
2. The 73<sup>rd</sup> constitutional amendment act provides for the reservation of not less than one-third of the total number of seats for women.

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 act provides for the reservation of seats for scheduled castes and scheduled tribes in every panchayat (i.e., at all the three levels) in proportion of their population to the total population in the panchayat area.

- Further, the state legislature shall provide for the reservation of offices of chairperson in the panchayat at the village or any other level for the SCs and STs.
- The act provides for the reservation of not less than one-third of the total number of seats for women (including the number of seats reserved for women belonging the SCs and STs).

**Source: Laxmikanth**

## Union Territories & Scheduled Areas

**Q.1) Which of the following territories are comes under the definition of “territory of India”?**

1. territories of the states
2. union territories
3. territories that may be acquired and secede by the Government of India at any time

**How many of the statements given above are correct?**

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

**ANS: B**

**Explanation:** Under Article 1 of the Constitution, the territory of India comprises three categories of territories: (a) territories of the states; (b) union territories; and (c) territories that may be acquired by the Government of India at any time.

At present, there are twenty-nine states, seven union territories and no acquired territories.

**Source: Laxmikanth**

**Q.2) By which constitutional amendment act, Part ‘C’ States and Part ‘D’ Territories constituted as “Union Territories”?**

- a) first
- b) fifth
- c) seventh
- d) twenty – fourth

**ANS: C**

**Explanation:** During the British Rule, certain areas were constituted as ‘scheduled districts’ in 1874. Later, they came to be known as ‘chief commissioner’s provinces’.

- After independence, they were placed in the category of Part ‘C’ States and Part ‘D’ Territories.
- In 1956, they were constituted as the ‘union territories’ by the 7th Constitutional Amendment Act (1956) and the States Reorganization Act (1956).

**Source: Laxmikanth**

**Q.3) In which year, Delhi was re-designated as the National Capital Territory of Delhi?**

- a) 1969
- b) 1978
- c) 1985
- d) 1992

**ANS: D**

**Explanation:** In 1992, Delhi was re-designated as the National Capital Territory of Delhi.

**Source: Laxmikanth**

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### Q.4) Consider the following statements:

1. Part V of the Constitution deal with the union territories.
2. All union territories follow the same administrative set up.

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:** Articles 239 to 241 in Part VIII of the Constitution deal with the union territories.

Even though all the union territories belong to one category, there is no uniformity in their administrative system.

**Source: Laxmikanth**

### Q.5) Consider the following statements:

1. Every union territory is administered by the President acting through an administrator appointed by him.
2. Parliament specifies the designation of an administrator.

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:** Every union territory is administered by the President acting through an administrator appointed by him.

- An administrator of a union territory is an agent of the President and not head of state like a governor.
- The President can specify the designation of an administrator; it may be Lieutenant Governor or Chief Commissioner or Administrator.

**Source: Laxmikanth**

### Q.6) Consider the following statements:

1. The Parliament can establish a high court for a union territory or put it under the jurisdiction of the high court of adjacent state.
2. Both Delhi and Pondicherry has their own high courts.

Which of the statements given above is/are not correct?

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

**ANS: B**

**Explanation:** The Parliament can establish a high court for a union territory or put it under the jurisdiction of the high court of adjacent state.

Delhi is the only union territory that has a high court of its own (since 1966).

**Source: Laxmikanth**

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**Q.7) The “Part X of the Constitution” deals with which of the following?**

- a) Primary education
- b) Universal health
- c) Citizenship
- d) Scheduled and Tribal areas

**ANS: D**

**Explanation:** Article 244 in Part X of the Constitution envisages a special system of administration for certain areas designated as ‘scheduled areas’ and ‘tribal areas’.

**Source: Laxmikanth**

**Q.8) Which of the following states is/are covered under fifth schedule of the Constitution?**

- 1. Assam
- 2. Meghalaya
- 3. Tripura

**How many of the statements given above are correct?**

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

**ANS: D**

**Explanation:** The Fifth Schedule of the Constitution deals with the administration and control of scheduled areas and scheduled tribes in any state except the four states of Assam, Meghalaya, Tripura and Mizoram.

**Source: Laxmikanth**

**Q.9) Which of the following is/are features of fifth schedule of Indian Constitution?**

- 1. The president is empowered to declare an area to be a scheduled area.
- 2. Each state having scheduled areas has to establish a tribe’s advisory council.
- 3. The governor is empowered to direct that any particular act of Parliament or the state legislature does not apply to a scheduled area or apply with specified modifications and exceptions.

**How many of the statements given above are correct?**

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

**ANS: C**

**Explanation:** The various features of administration contained in the Fifth Schedule are as follows:

- 1. Declaration of Scheduled Areas: The president is empowered to declare an area to be a scheduled area.
- 2. Executive Power of State and Centre: The executive power of a state extends to the scheduled areas therein.
- 3. Tribes Advisory Council: Each state having scheduled areas has to establish a tribes advisory council to advice on welfare and advancement of the scheduled tribes.
- 4. Law applicable to Scheduled Areas: The governor is empowered to direct that any particular act of Parliament or the state legislature does not apply to a scheduled area or apply with specified modifications and exceptions.

**Source: Laxmikanth**

**Q.10) Which of the following states has autonomous districts?**

1. Assam
2. Tripura
3. Mizoram

**How many of the statements given above are correct?**

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

**ANS: C**

**Explanation:** The tribal areas in the four states of Assam, Meghalaya, Tripura and Mizoram have been constituted as autonomous districts.

**Source: Laxmikanth**

## **Constitutional Bodies**

**Q.1) Consider the following statements regarding "Autonomous districts" of sixth scheduled areas:**

1. They fall outside the executive authority of the state concerned.
2. The President is empowered to organize and re-organize the autonomous districts.

**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 various features of administration contained in the Sixth Schedule are as follows:

1. The tribal areas in the four states of Assam, Meghalaya, Tripura and Mizoram have been constituted as autonomous districts. But, they do not fall outside the executive authority of the state concerned.
2. The governor is empowered to organize and re-organize the autonomous districts. Thus, he can increase or decrease their areas or change their names or define their boundaries and so on.
3. If there are different tribes in an autonomous district, the governor can divide the district into several autonomous regions.

**Source: Laxmikanth**

**Q.2) Consider the following statements regarding sixth schedule:**

1. Each autonomous district has a district council consisting of 50 members.
2. Each autonomous region has a separate regional council.

**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:** Each autonomous district has a district council consisting of 30 members, of whom four are nominated by the governor and the remaining 26 are elected on the basis of adult franchise.

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The elected members hold office for a term of five years (unless the council is dissolved earlier) and nominated members hold office during the pleasure of the governor. Each autonomous region also has a separate regional council.

**Source: Laxmikanth**

**Q.3) Consider the following statements:**

1. Election commission of India is not a permanent body.
2. Election commission is not concerned with the elections to panchayats and municipalities in the states.

**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 Election Commission is a permanent and an independent body established by the Constitution of India directly to ensure free and fair elections in the country.

It must be noted here that the election commission is not concerned with the elections to panchayats and municipalities in the states.

**Source: Laxmikanth**

**Q.4) Consider the following statements regarding "Election Commission":**

1. It is a single member body.
2. The chief election commissioner is appointed by president.

**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 Election Commission shall consist of the chief election commissioner and such number of other election commissioners, if any, as the president may from time to time fix.

The appointment of the chief election commissioner and other election commissioners shall be made by the president.

**Source: Laxmikanth**



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### Q.5) Consider the following statements:

1. The conditions of service and tenure of office of the election commissioners and the regional commissioners shall be determined by the parliament.
2. Chief Election Commissioner holds office for a term of six years or until they attain the age of 62 years, whichever is earlier.

### 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 conditions of service and tenure of office of the election commissioners and the regional commissioners shall be determined by the president.

- The chief election commissioner and the two other election commissioners have equal powers and receive equal salary, allowances and other perquisites, which are similar to those of a judge of the Supreme Court.
- They hold office for a term of six years or until they attain the age of 65 years, whichever is earlier.

**Source: Laxmikanth**

### Q.6) Consider the following statements:

1. The chief election commissioner is not provided with the security of tenure.
2. The constitution has prescribed the qualifications of the members of the Election Commission.

### 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 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.
- The Constitution has not prescribed the qualifications (legal, educational, administrative or judicial) of the members of the Election Commission.

**Source: Laxmikanth**

### Q.7) Consider the following statements:

1. The Constitution has not specified the term of the members of the Election Commission.
2. The Constitution has debarred the retiring election commissioners from any further appointment by the government.

### 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:** Though the constitution has sought to safeguard and ensure the independence and impartiality of the Election Commission, some flaws can be noted, viz.,

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1. The Constitution has not specified the term of the members of the Election Commission.
2. The Constitution has not debarred the retiring election commissioners from any further appointment by the government.

**Source: Laxmikanth**

**Q.8) Which of the following is/are functions of election commission?**

1. To determine the territorial areas of the electoral constituencies throughout the country.
2. To prepare and periodically revise electoral rolls and to register all eligible voters.
3. To notify the dates and schedules of elections and to scrutinize nomination papers.

**How many of the statements given above are correct?**

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

**ANS: C**

**Explanation:** The powers and functions of election commission are:

1. To determine the territorial areas of the electoral constituencies throughout the country on the basis of the Delimitation Commission Act of Parliament.
2. To prepare and periodically revise electoral rolls and to register all eligible voters.
3. To notify the dates and schedules of elections and to scrutinize nomination papers.
4. To grant recognition to political parties and allot election symbols to them.

**Source: Laxmikanth**

**Q.9) Consider the following statements:**

1. The chief electoral officer of a state is appointed by president.
2. The collector acts as the district returning officer at district level.

**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:** At the state level, the Election Commission is assisted by the chief electoral officer who is appointed by the chief election commissioner in consultation with the state government.

- Below this, at the district level, the collector acts as the district returning officer.
- He appoints a returning officer for every constituency in the district and presiding officer for every polling booth in the constituency.

**Source: Laxmikanth**

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**Q.10) Which of the following article of constitution is related to finance commission?**

- a) Article 148
- b) Article 280
- c) Article 312
- d) Article 324

**ANS: B**

**Explanation:** Article 280 of the Constitution of India provides for a Finance Commission as a quasi judicial body.

It is constituted by the president of India every fifth year or at such earlier time as he considers necessary.

**Source: Laxmikanth**