

ForumIAS

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Prelims Marathon

2nd Week December, 2024

HISTORY
ECONOMICS
POLITY
SCIENCE AND TECHNOLOGY
GEOGRAPHY AND ENVIRONMENT

FORUMIAS



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State Legislature & State Council of Ministers

Q.1) Consider the following statements:

1. The principles of parliamentary system of government are detailed in the Constitution.
2. The council of ministers in the states is constituted and function in the same way as the council of ministers at the Centre.

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 of India provides for a parliamentary system of government in the states on the Union pattern, the council of ministers headed by the chief minister is the real executive authority in the politico-administrative system of a state.

- The council of ministers in the states is constituted and function in the same way as the council of ministers at the Centre.
- The principles of parliamentary system of government are not detailed in the Constitution; but two Articles (163 and 164) deal with them in a broad, sketchy and general manner.

Source: Laxmikanth

Q.2) Which of the following article of Indian constitution deals with the appointment, tenure, responsibility, qualifications, oath and salaries and allowances of the ministers?

- a) 151
- b) 159
- c) 163
- d) 164

ANS: D

Explanation: Article 163 deals with the status of the council of ministers while Article 164 deals with the appointment, tenure, responsibility, qualifications, oath and salaries and allowances of the ministers.

Source: Laxmikanth

Q.3) Which of the following article has mentioned the “discretionary powers of governor” in Indian constitution?

- a) 157
- b) 161
- c) 163
- d) 164

ANS: C

Explanation: Article 163–Council of Ministers to aid and advise Governor:

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, except in so far as he is required to exercise his functions in his discretion.
2. 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.
3. The advice tendered by Ministers to the Governor shall not be inquired into in any court.

Source: Laxmikanth

Q.4) Which constitutional amendment added 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) Fifty – first
- b) Sixty – fourth
- c) Ninety – first
- d) Ninety – fourth

ANS: C

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.5) Which constitutional amendment added the provision of “A member of either House of state legislature belonging to any political party who is disqualified on the ground of defection shall also be disqualified to be appointed as a minister”?

- a) Forty – second
- b) Fifty – first
- c) Sixty – fourth
- d) Ninety – first

ANS: D

Explanation: A member of either House of state legislature 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.6) Which part of Indian constitution deal with the organisation, composition, duration, officers, procedures, privileges, powers and so on of the state legislature?

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

ANS: B

Explanation: Articles 168 to 212 in Part VI of the Constitution deal with the organisation, 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.7) Which of the following state has bicameral system?

- a) Tamil Nadu
- b) Kerala
- c) Karnataka
- d) Odisha

ANS: C

Explanation: There is no uniformity in the organisation of state legislatures.

- Most of the states have a 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.8) Which of the following statements is/are correct?

1. The Constitution provides for the abolition or creation of legislative councils in states.
2. The Parliament can abolish a legislative council or create it if the legislative assembly of the concerned state passes a resolution to that effect.
3. Such a specific resolution must be passed by the state assembly by a simple majority.

Select the correct option from below given codes:

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

ANS: B

Explanation: The Constitution provides for the abolition or creation of legislative councils in states.

- Accordingly, the Parliament can abolish a legislative council (where it already exists) or create it (where it does not exist), if the legislative assembly of the concerned state passes a resolution to that effect.
- Such a specific resolution must be passed by the state assembly by a special majority, that is, a majority of the total membership of the assembly and a majority of not less than two-thirds of the members of the assembly present and voting.
- This Act of Parliament is not to be deemed as an amendment of the Constitution for the purposes of Article 368 and is passed like an ordinary piece of legislation (i.e., by simple majority).

Source: Laxmikanth

Q.9) Consider the following statements:

1. The legislative assembly consists of representatives directly elected by the people on the basis of universal adult franchise.
2. The maximum strength of composition of legislative assembly is fixed at 500 and minimum strength at 60.

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 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.

Source: Laxmikanth

Q.10) Consider the following statements regarding "Rajya Sabha":

1. It is a permanent body and is not subject to dissolution.
2. One-third of its members retire on the expiration of every third year.

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: Like the Rajya Sabha, the legislative council is a continuing chamber, that is, it is a permanent body and is not subject to dissolution.

But, one-third of its members retire on the expiration of every second year. So, a member continues as such for six years.

Source: Laxmikanth

Council of Ministers & Cabinet Committees

Q.1) Consider the following statements regarding “cabinet committees”:

1. They are mentioned in the constitution.
2. The Rules of Business provide for their establishment.

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 Cabinet committees are extra-constitutional in emergence. In other words, they are not mentioned in the Constitution. However, the Rules of Business provide for their establishment.

Source: Laxmikanth

Q.2) Which of the following statements is/are correct about cabinet committees?

1. They are of two types—standing and ad hoc.
2. They are set up by the President according to the exigencies of the time and requirements of the situation.
3. Their membership varies from three to eight.

Select the correct option from below given codes:

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

ANS: B

Explanation: The Cabinet Committees are of two types—standing and *ad hoc*. The former are of a permanent nature while the latter are of a temporary nature. The *ad hoc* committees are constituted from time to time to deal with special problems. They are disbanded after their task is completed.

- The Cabinet Committees are set up by the Prime Minister according to the exigencies of the time and requirements of the situation. Hence, their number, nomenclature, and composition vary from time to time.
- Their membership varies from three to eight. They usually include only Cabinet Ministers. However, the non-cabinet Ministers are not debarred from their membership.

Source: Laxmikanth

Q.3) Which of the following is/are advantages of “Cabinet committees”?

1. They are an organisational device to reduce the enormous workload of the Cabinet.
2. They also facilitate in-depth examination of policy issues and effective coordination.
3. They are based on the principles of division of labour and effective delegation.

Select the correct option from below given codes:

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

ANS: C

Explanation: The Cabinet committees are an organisational device to reduce the enormous workload of the Cabinet. They also facilitate in-depth examination of policy issues and effective coordination. They are based on the principles of division of labour and effective delegation.

Source: Laxmikanth

Q.4) Which of the following committee is headed by central home minister?

- a) Political Affairs Committee
- b) Economic Affairs Committee
- c) Appointments Committee
- d) Parliamentary Affairs Committee

ANS: D

Explanation: Parliamentary Affairs Committee looks after the progress of government business in the Parliament. It is headed by home minister.

Source: Laxmikanth

Q.5) Which of the following committee looks after the progress of government business in the Parliament?

- a) Political Affairs Committee
- b) Economic Affairs Committee
- c) Appointments Committee
- d) Parliamentary Affairs Committee

ANS: D

Explanation: Parliamentary Affairs Committee looks after the progress of government business in the Parliament.

Source: Laxmikanth

Q.6) Consider the following statements regarding council of ministers:

1. The President can appoint only those persons as ministers who are recommended by the Prime minister.
2. 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.

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 Prime Minister is appointed by the President, while the other ministers are appointed by the President on the advice of the Prime Minister.

- This means that the President can appoint only those persons as ministers who are recommended by the Prime minister.
- 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.

Source: Laxmikanth

Q.7) Which of the following article of Indian constitution clearly states that the council of ministers is collectively responsible to the Lok Sabha?

- a) 53
- b) 64
- c) 74
- d) 75

ANS: D

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.

Source: Laxmikanth

Q.8) Which of the following is/are consists of council of ministers?

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

Select the correct option from below given codes:

- 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

Q.9) Which of the following role/s is/are played by cabinet?

1. It is the highest decision-making authority in our politico administrative system.
2. It is the chief policy formulating body of the Central government.
3. It is the supreme executive authority of the Central government.

Select the correct option from below given codes:

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

ANS: C

Explanation: Role of Cabinet:

- It is the highest decision-making authority in our politico administrative system.
- It is the chief policy formulating body of the Central government.
- It is the supreme executive authority of the Central government.
- It is chief coordinator of Central administration.
- It is an advisory body to the president and its advice is binding on him.

Source: Laxmikanth

Q.10) The term “office of whip” is mentioned in which of the following?

- a) Constitution
- b) Rules of the house
- c) Parliamentary statute
- d) Conventions of parliamentary government

ANS: D

Explanation: Though the offices of the leader of the House and the leader of the Opposition are not mentioned in the Constitution of India, they are mentioned in the Rules of the House and Parliamentary Statute respectively.

- The office of ‘whip’, on the other hand, is mentioned neither in the Constitution of India nor in the Rules of the House nor in a Parliamentary Statute.
- It is based on the conventions of the parliamentary government.

Source: Laxmikanth

Supreme Court & Judicial Review

Q.1) The Indian Constitution has adopted an integrated judicial system (single system of courts) from?

- a) Government of India Act of 1927
- b) Government of India Act of 1935
- c) Government of India Act of 1947
- d) India independence Act of 1947

ANS: B

Explanation: Unlike the American Constitution, the Indian Constitution has established an integrated judicial system with the Supreme Court at the top and the high courts below it.

- Under a high court (and below the state level), there is a hierarchy of subordinate courts, that is, district courts and other lower courts.
- This single system of courts, adopted from the Government of India Act of 1935, enforces both Central laws as well as the state laws.

Source: laxmikanth

Q.2) Which of the following act established the federal Court of India?

- a) Government of India Act of 1927
- b) Government of India Act of 1935
- c) Government of India Act of 1947
- d) India independence Act of 1947

ANS: B

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: Laxmikanth

Q.3) Consider the following statements:

1. The strength of supreme court judges is fixed in the constitution.
2. The judges of the Supreme 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: Originally, the strength of the Supreme Court was fixed at eight (one chief justice and seven other judges).

- The Parliament has increased this number of other judges progressively to ten in 1956, to thirteen in 1960, to seventeen in 1977, to twenty-five in 1986, to thirty in 2008 and to thirty-three in 2019.
- 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.

Source: Laxmikanth

Q.4) The "99th Constitutional Amendment Act of 2014" related to which of the following?

- a) Strength of judges
- b) Arbitration division
- c) National judicial appointments commission
- d) Supreme court benches

ANS: C

Explanation: The 99th Constitutional Amendment Act of 2014 and the National Judicial Appointments Commission Act of 2014 have replaced the collegium system of appointing judges to the Supreme Court and High Courts with a new body called the National Judicial Appointments Commission (NJAC).

Source: Laxmikanth

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

1. He should have been a judge of a High Court for five years.
2. He should have been an advocate of a High Court for ten years.
3. He should be a distinguished jurist in the opinion of the Prime Minister.

Select the correct option from below given codes:

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

ANS: B

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

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

Source: Laxmikanth

Q.6) In his oath, a judge of the Supreme Court swears to?

1. bear true faith and allegiance to the Constitution of India
2. uphold the sovereignty and integrity of India
3. uphold the Constitution and the laws

Select the correct option from below given codes:

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

ANS: C

Explanation: In his oath, a judge of the Supreme Court swears:

1. to bear true faith and allegiance to the Constitution of India;
2. to uphold the sovereignty and integrity of India;
3. to duly and faithfully and to the best of his ability, knowledge and judgement perform the duties of the Office without fear or favour, affection or ill-will; and
4. to uphold the Constitution and the laws.

Source: Laxmikanth

Q.7) 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 President.
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 not correct?

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

ANS: A

Explanation: The salaries, allowances, privileges, leave and pension of the judges of the Supreme 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 per cent of their last drawn salary as monthly pension.

Source: Laxmikanth

Q.8) 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:

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.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

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 – II

Q.1) Consider the following statements regarding tenure of a judge of supreme court:

1. The Constitution has fixed the tenure of a judge of the Supreme Court.
2. A judge holds office until he attains the age of 65 years.

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 Constitution has not fixed the tenure of a judge of the Supreme Court.

A supreme court 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.

Source: Laxmikanth

Q.2) Consider the following statements:

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.3) In which of the following year judge's enquiry act enacted?

- a) 1951
- b) 1958
- c) 1962
- d) 1968

ANS: D

Explanation: The Judges Enquiry Act (1968) regulates the procedure relating to the removal of a judge of the Supreme Court by the process of impeachment.

Source: Laxmikanth

Q.4) Which of the following role/s is/are played by supreme court?

1. Highest court of appeal
2. Federal court
3. Guarantor of the fundamental rights of the citizens

Select the correct option from below given codes:

- 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.5) Consider the following statements:

1. The salaries, allowances and pensions of the judges and the staff as well as all the administrative expenses of the Supreme Court are charged on the Contingency Fund of India.
2. 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.

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 salaries, allowances and pensions of the judges and the staff as well as all the administrative expenses of the Supreme Court are charged on the Consolidated Fund of India. Thus, they are non-votable by the Parliament (though they can be discussed by it).

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.

Source: Laxmikanth

Q.6) Consider the following statements:

1. The Supreme Court can punish any person for its contempt.
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: C

Explanation: The Supreme Court can punish any person for its contempt. Thus, its actions and decisions cannot be criticised and opposed by anybody. This power is vested in the Supreme Court to maintain its authority, dignity and honour.

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.

Source: Laxmikanth

Q.7) Which of the following disputes is/are comes under original jurisdiction of supreme court?

1. Between the Centre and one or more states
2. Between two or more states
3. Dispute between government and private company

Select the correct option from below given codes:

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

ANS: B

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

Q.8) Which of the following state bought the first suit, under the original jurisdiction of the Supreme Court?

- a) Tamil Nadu
- b) Karnataka
- c) Andhra Pradesh
- d) West Bengal

ANS: D

Explanation: In 1961, the first suit, under the original jurisdiction of the Supreme Court, was brought by West Bengal against the Centre.

The State Government challenged the Constitutional validity of the Coal Bearing Areas (Acquisition and Development) Act, 1957, passed by the Parliament. However, the Supreme Court dismissed the suit by upholding the validity of the Act.

Source: Laxmikanth

Q.9) Which of the following writs can be issued by supreme court?

- 1. Habeas corpus
- 2. Mandamus
- 3. Prohibition

Select the correct option from below given codes:

- 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

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

Judicial Activism & PIL

Q.1) Which of the following statements/s is/are correct about tenure of Supreme Court judges?

1. He holds office until he attains the age of 62 years.
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.

Choose the correct answer from below given codes:

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

ANS: B

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:

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.2) Consider the following statements:

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.3) 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.
3. All other cases are decided by single judges and division benches.

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 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 judgments are delivered by the open court.
- All judgments are by majority vote but if differing, then judges can give dissenting judgments or opinions.

Source: Laxmikanth

Q.4) Which of the following provision/s is/are made the Supreme Court of India Independent?

1. Mode of appointment
2. Security of tenure
3. Fixed service conditions

Choose the correct answer from below given codes:

- a) 1 only
- b) 1 and 2 only
- c) 2 and 3 only
- d) 1, 2 and 3

ANS: D

Explanation: The Constitution has made the following provisions to safeguard and ensure the independent and impartial functioning of the Supreme Court:

- Mode of Appointment
- Security of Tenure
- Fixed Service Conditions
- Expenses Charged on Consolidated Fund
- Conduct of Judges cannot be discussed

Source: Laxmikanth

Q.5) Consider the following statements:

1. The writ jurisdiction of the Supreme Court is exclusive.
2. The writ jurisdiction of the high court is wider than that 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: B

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

- 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.
- 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.
- In this regard, the Supreme Court has original jurisdiction in the sense that an aggrieved citizen can directly go to the Supreme Court, not necessarily by way of appeal.
- However, the writ jurisdiction of the Supreme Court is not exclusive.

Source: Laxmikanth

Q.6) Which of the following is/are come/s under the appellate jurisdiction of Supreme Court?

1. Appeals in constitutional matters.
2. Appeals in civil matters.
3. Appeals by special leave.

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 judgments 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.7) Consider the following statements Advocates-on-Record:

- 1. Only these advocates are entitled to file any matter or document before the Supreme Court.
- 2. They can also file an appearance or act for a party 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: C

Explanation: Advocates-on-Record: Only these advocates are entitled to file any matter or document before the Supreme Court. They can also file an appearance or act for a party in the Supreme Court.

Source: Laxmianth

Q.8) Consider the following statements senior advocates:

- 1. These are Advocates who are designated as Senior Advocates by the Supreme Court of India or by any High Court.
- 2. The Court can designate any Advocate without his consent, as Senior Advocate.

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: 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.

Source: Laxmikanth

Q.9) Consider the following statements:

- 1. The Constitution confers the power of judicial review on the judiciary and legislature.
- 2. The Supreme Court has declared the power of judicial review as a basic feature of the Constitution.

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 confers the power of judicial review on the judiciary (both the Supreme Court as well as High Courts).

Further, the Supreme Court has declared the power of judicial review as a basic feature of the Constitution or an element of the basic structure of the Constitution.

Source: Laxmikanth

Q.10) According to Justice Syed Shah Mohamed Quadri, which of the following category/categories is/are of judicial review?

1. Judicial review of constitutional amendments.
2. Judicial review of legislation of the Parliament and State Legislatures and subordinate legislations.
3. Judicial review of administrative action of the Union and State and authorities under the state.

How many of the statements given above are correct?

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

ANS: C

Explanation: Justice Syed Shah Mohamed Quadri has classified the judicial review into the following three categories:

1. Judicial review of constitutional amendments.
2. Judicial review of legislation of the Parliament and State Legislatures and subordinate legislations.
3. Judicial review of administrative action of the Union and State and authorities under the state.

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. Madras

How many of the statements given above are correct?

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

ANS: C

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 – fourth 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 25 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: B

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

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

1. Since 1966, 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: B

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 chief justice is appointed by the President after consultation with the chief justice of India and the governor of the state concerned.

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: 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

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 have been an advocate of a high court for ten years.

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 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 state legislature.
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: B

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

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

1. He holds office until he attains the age of 65 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
- a) ANS: D

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) 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.9) 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

Q.10) 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

Revision

Q.1) In which of the following year Administrative Tribunals Act was passed?

- a) 1985
- b) 1989
- c) 1991
- d) 2002

ANS: A

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.2) Consider the following statements regarding “Central Administrative Tribunal (CAT)”:

1. It is not 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 correct?

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

ANS: C

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

Q.3) Consider the following statements regarding “Central Administrative Tribunal (CAT)”:

1. It will not charge fees from applicant.
2. Applicant appear through a lawyer 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: 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.4) Which of the following case removed the restrictions on high courts to hear appeals from “Central administrative Tribunal”?

- a) Keshavanandhabharati 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.5) 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 Prime Minister 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: D

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

Q.6) 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.7) Which of the following is not bicameral state in India?

- a) Tamil Nadu
- b) Andhra Pradesh
- c) Maharashtra
- d) Bihar

ANS: A

Explanation: There is no uniformity in the organisation of state legislatures. Most of the states have a 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.8) Which of the following states legislative assemblies' strength fixed at 30?

1. Goa
2. Nagaland
3. Mizoram

How many of the statements given above are correct?

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

ANS: A

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.9) 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

Q.10) Which of the following is/are provision/s of the judge/s of the Supreme Court is determined by Parliament from time to time?

1. Salaries
2. Pensions
3. Leaves

Choose the correct answer from below given codes:

- a) 1 only
- b) 1 and 2 only
- c) 2 and 3 only
- d) 1, 2 and 3

ANS: D

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

They cannot be changed to their disadvantage after their appointment except during a financial emergency.

Source: Laxmikanth