

ForumIAS

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Prelims Marathon

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HISTORY
ECONOMICS
POLITY
SCIENCE AND TECHNOLOGY
GEOGRAPHY AND ENVIRONMENT

FORUMIAS



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Fundamental Rights (Article 16-19)

1. With reference to Article 16 of the Constitution of India, consider the following statements:

1. It provides for equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State.
2. The grounds of non-discrimination mentioned in Article 16 are identical to those mentioned in Article 15.
3. This right is available to both citizens of India and legal persons like corporations or friendly aliens.

Which of the statements given above is/are correct?

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

Correct Answer: (a)

Explanation:

Statement 1: Correct. Article 16(1) and 16(2) lay down the general rule of equality of opportunity in public employment.

Statement 2: Incorrect. Article 15 mentions 5 grounds (religion, race, caste, sex, place of birth). Article 16 mentions 7 grounds; it adds 'descent' and 'residence' to the list.

Statement 3: Incorrect. Fundamental Rights under Article 16 are available **only to citizens** and not to aliens or legal persons like corporations.

2. Article 16 is subject to four major exceptions. Consider the following statements regarding these exceptions:

1. Parliament can prescribe residence as a condition for certain employment or appointment in a State or Union Territory.
2. State legislatures are empowered to reserve appointments or posts in favor of any backward class that is not adequately represented in the state services.
3. A law can provide that the incumbent of an office related to a religious or denominational institution shall belong to a particular religion.
4. The State can provide for 10% reservation in appointments for Economically Weaker Sections (EWS) in addition to existing reservations.

Which of the statements given above are correct?

- (a) 1, 2 and 3 only
- (b) 2, 3 and 4 only
- (c) 1, 3 and 4 only
- (d) 1, 2, 3 and 4

Correct Answer: (c)

Explanation:

Statement 1: Correct. Under Article 16(3), only **Parliament** (not State Legislatures) can prescribe residence.

Statement 2: Incorrect. Article 16(4) empowers the "**State**" (as defined in Art 12), which includes Parliament and State Legislatures, but the statement implies an exclusive power. More importantly, it is a provision of the Constitution, not just an "empowerment of legislatures."

Statement 3: Correct. This is provided under Article 16(5).

Statement 4: Correct. This was added by the 103rd Amendment Act, 2019 [Article 16(6)].

3. With reference to the landmark Indra Sawhney (Mandal Case) judgement, consider the following statements:

1. The Supreme Court upheld the constitutional validity of 27% reservation for OBCs and also upheld the 10% reservation for economically backward sections of higher castes.
2. The Court ruled that the total reserved quota should not exceed 50% except in some extraordinary situations.
3. It held that the 'Carry Forward Rule' in case of unfilled backlog vacancies is valid, provided it does not violate the 50% ceiling for the total number of vacancies of that year.

Which of the statements given above are correct?

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

Correct Answer: (b)

Explanation:

Statement 1: Incorrect. The Supreme Court upheld the constitutional validity of 27% reservation for OBCs but struck down the 10% reservation for economically backward sections of higher castes. The court rejected the 10% economic reservation for upper castes at that time, stating poverty alone isn't a criterion for backwardness under Art 16(4).

Statement 2: Correct. This 50% limit became a standard rule for reservations.

Statement 3: Correct. The court allowed carrying forward vacancies but insisted the 50% rule must apply to the total vacancies of the year in which they are filled.

4. Consider the following events regarding the identification of Backward Classes in India:

1. Appointment of the Kaka Kalelkar Commission.
2. Appointment of the Second Backward Classes Commission (Mandal Commission).
3. Implementation of the Mandal Commission recommendations by the V.P. Singh Government.
4. Appointment of the Justice G. Rohini Commission.

What is the correct chronological sequence of these events?

- (a) 1-2-3-4
- (b) 2-1-3-4
- (c) 1-2-4-3
- (d) 2-3-1-4

Correct Answer: (a)

Explanation:

- **Kaka Kalelkar Commission:** 1953 (First BC Commission).
- **Mandal Commission:** 1979 (Second BC Commission).
- **Implementation:** 1990 (by V.P. Singh government).
- **Justice G. Rohini Commission:** 2017 (to examine sub-categorization within OBCs).

5. With reference to the National Commission for Backward Classes (NCBC), consider the following statements:

1. It was initially a statutory body established in 1993 but was accorded constitutional status by the 102nd Amendment Act, 2018.
2. The Commission consists of a Chairperson, Vice-Chairperson, and three other members who are appointed by the President by warrant under his hand and seal.

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

Correct Answer: (c)

Explanation:

Statement 1: Correct. It is now governed by **Article 338B**.

Statement 2: Correct. The conditions of service and tenure of office of the members are determined by the President.

6. The Justice G. Rohini Commission, often in the news, was primarily constituted for which of the following purposes?

- (a) To identify the "Creamy Layer" among Scheduled Castes and Scheduled Tribes.
- (b) To examine the issue of sub-categorization of Other Backward Classes (OBCs).
- (c) To review the 10% reservation criteria for Economically Weaker Sections (EWS).
- (d) To recommend the inclusion of Transgender persons in the OBC category.

Correct Answer: (b)

Explanation:

The commission was appointed in 2017 to ensure more equitable distribution of reservation benefits among various castes/communities included in the Central List of OBCs, as a few dominant groups were perceived to be cornering the majority of benefits.

7. With reference to Article 17 of the Constitution of India, consider the following statements:

1. Article 17 abolishes 'untouchability' and forbids its practice in any form, making it an absolute right.
2. The term 'untouchability' has been clearly defined in the Constitution as well as in the Protection of Civil Rights Act, 1955.
3. A person convicted of an offence of 'untouchability' is disqualified for election to the Parliament or a State Legislature.

Which of the statements given above are correct?

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

Correct Answer: (c)

Explanation:

Statement 1: Correct. It is one of the few absolute rights that has no exceptions.

Statement 2: Incorrect. Neither the Constitution nor the Act defines 'untouchability'. The Mysore High Court clarified it refers to historical social practices, not literal touch.

Statement 3: Correct. This is a provision under the Representation of the People Act and the Civil Rights Act.

8. Regarding the abolition of titles under Article 18, consider the following statements:

1. It prohibits the state from conferring any title (except military or academic distinction) on anybody, whether a citizen or a foreigner.
2. A citizen of India is prohibited from accepting any title from any foreign state.

3. National awards like Bharat Ratna and Padma Vibhushan were held by the Supreme Court to be "titles" within the meaning of Article 18 and thus should be used as suffixes or prefixes to names.

Which of the statements given above are correct?

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

Correct Answer: (a)

Explanation:

Statement 1: Correct. Military and academic distinctions are the only exceptions.

Statement 2: Correct. This is a direct prohibition under Article 18(2).

Statement 3: Incorrect. In the Balaji Raghavan case (1996), the SC held that these awards are **not** titles under Art 18. However, it also ruled that they **should not** be used as suffixes or prefixes.

9. With reference to Freedom of Speech and Expression, consider the following statements:

- 1. It includes the right to propagate one's views as well as the views of others.
- 2. The right to strike is a fundamental right guaranteed under Article 19(1)(a).
- 3. Reasonable restrictions on this right can be imposed on the grounds of "contempt of court" and "decency or morality."

Which of the statements given above are correct?

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

Correct Answer: (c)

Explanation:

Statement 1: Correct. Freedom of the press is implied here.

Statement 2: Incorrect. The Supreme Court has repeatedly held that while there is a right to demonstrate, there is **no fundamental right to strike**.

Statement 3: Correct. These are among the 8 grounds mentioned in Article 19(2).

10. The Supreme Court has expanded the scope of Article 19(1)(a) through various judgements. Which of the following rights are held to be contained within the Freedom of Speech and Expression?

- 1. Right to know about government activities.
- 2. Freedom of silence.
- 3. Right against tapping of telephonic conversation.
- 4. Right to telecast (no monopoly of government on electronic media).

Select the correct answer using the code given below:

- (a) 1, 2 and 3 only
- (b) 2, 3 and 4 only
- (c) 1, 2 and 4 only
- (d) 1, 2, 3 and 4

Correct Answer: (d)

Explanation:

All four are established rights under Article 19(1)(a).

- **Right to know:** State of UP v. Raj Narain.
- **Freedom of silence:** Bijoe Emmanuel case.
- **Right against phone tapping:** PUCL v. Union of India.
- **Right to telecast:** Ministry of I&B v. Cricket Association of Bengal.

Article 19 and Article 20

1. With reference to the six rights guaranteed by Article 19(1) of the Constitution, consider the following statements:

1. These rights are protected against only state action and not against private individuals.
2. These rights are available to all citizens, legal persons such as companies or corporations, and friendly aliens.
3. The right to acquire, hold, and dispose of property was deleted as a fundamental right by the 42nd Amendment Act, 1976.

Which of the statements given above is/are correct?

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

Correct Answer: (a)

Explanation:

- **Statement 1: Correct.** Fundamental Rights under Article 19 are directed against the State and not against private individuals.
- **Statement 2: Incorrect.** These rights are available **only to citizens** and not to foreigners or legal persons like companies (except through the rights of their shareholders who are citizens).
- **Statement 3: Incorrect.** It was deleted by the **44th Amendment Act, 1978**, not the 42nd.

2. Regarding the reasonable restrictions on the Freedom of Speech and Expression, consider the following statements:

1. The restriction must be 'reasonable' and not arbitrary; however, the Constitution does not define what constitutes 'reasonable', leaving it to the Judiciary to decide.
2. A restriction can be imposed on the ground of 'Public Order' only if there is a clear and present danger of inciting an offence.

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

Correct Answer: (c)

Explanation:

- **Statement 1: Correct.** The determination of "reasonableness" is a judicial function.
- **Statement 2: Correct.** The Supreme Court has held that the link between the restriction and the ground (like public order) must be direct and proximate, not remote.

3. With reference to the Freedom of Assembly, consider the following statements:

1. It includes the right to hold public meetings, demonstrations, and take out processions, provided they are peaceful and unarmed.
2. This right can be exercised on both public land and private property, subject to the consent of the owner.
3. It does not protect the right to strike or the right to form a 'Gherao' that involves the blockage of a public servant's duty.

Which of the statements given above are correct?

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

Correct Answer: (b)

Explanation:

- **Statement 1: Correct.** Peace and lack of arms are the two essential constitutional pre-requisites.
- **Statement 2: Incorrect.** The right to assembly is generally exercised on **public land**. There is no fundamental right to assemble on private property without permission.
- **Statement 3: Correct.** The Supreme Court has held that there is **no fundamental right to strike** under Article 19.

4. Consider the following statements regarding the restrictions on the Freedom of Assembly:

1. The State can impose reasonable restrictions on the exercise of the right of assembly in the interests of the 'Sovereignty and Integrity of India' and 'Public Order'.
2. Under Section 144 of the Criminal Procedure Code (CrPC), a magistrate cannot restrain an assembly even if there is a risk of mere "annoyance" to the public, provided the risk is documented.

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

Correct Answer: (a)

Explanation:

- **Statement 1: Correct.** These are the specific grounds mentioned in Article 19(3).
- 3. **Statement 2: Incorrect.** Section 144 is wider; it can be used for the prevention of obstruction, annoyance, or injury to any person lawfully employed. Under Section 144 of the Criminal Procedure Code (CrPC), a magistrate can restrain an assembly even if there is a risk of mere "annoyance" to the public, provided the risk is documented.

5. With reference to the Freedom of Association, consider the following statements:

1. The right to form 'Co-operative Societies' was elevated to the status of a Fundamental Right by the 97th Amendment Act, 2011.
2. The right to form an association also includes a "negative right"—the right not to form or join an association or union.
3. The Supreme Court has held that the right to form an association carries with it the fundamental right to achieve the objects for which the association was formed, such as collective bargaining.

Which of the statements given above are correct?

- (a) 1 and 2 only

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

Correct Answer: (a)

Explanation:

- **Statement 1: Correct.** 97th Amendment added it to 19(1)(c).
- **Statement 2: Correct.** Freedom of Association includes the freedom to remain out of an association.
- **Statement 3: Incorrect.** The Supreme Court has ruled that while you have a right to form a union, you do **not have a fundamental right to collective bargaining** or the right to strike.

6. Regarding the Freedom of Movement, consider the following statements:

1. The freedom of movement has two dimensions: internal (right to move within the country) and external (right to leave and enter the country).
2. Article 19(1)(d) protects only the internal dimension, while the external dimension is governed by Article 21.
3. The right of movement of prostitutes can be restricted by the State on the ground of 'Public Morals'.

Which of the statements given above are correct?

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

Correct Answer: (b)

Explanation:

- **Statement 1: Incorrect.** While the concept has two dimensions, Article 19 covers only one.
- **Statement 2: Correct.** External movement (Passport/Foreign travel) is part of "Personal Liberty" under **Article 21** (Maneka Gandhi case).
- **Statement 3: Correct.** The SC held that restrictions on movement of prostitutes are valid for public health and morals.

7. With reference to the Freedom of Residence, consider the following statements:

1. This right is intended to remove internal barriers within the country and promote "nationalism" over "regionalism".
2. The right to reside and settle in any part of the territory of India can be restricted in the interest of the general public or for the protection of interests of any Scheduled Tribe.
3. The Supreme Court held that certain areas can be banned for habitual offenders to settle in, as a reasonable restriction.

Which of the statements given above are correct?

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

Correct Answer: (d)

Explanation:

- **Statement 1: Correct.** It allows for the integration of India as one unit.
- **Statement 2: Correct.** This is to protect the unique culture and assets of STs from exploitation.

- **Statement 3: Correct.** Habitual offenders can be restricted from certain localities to maintain public order.

8. Regarding Freedom of Speech and Expression, which of the following is/are correct?

1. It includes the right to propagate one's views as well as the views of others, which is why "Freedom of Press" is an implied right.
2. The right to exhibit movies is part of this freedom, but censorship of films is a valid reasonable restriction.
3. Commercial advertisements are not protected under Article 19(1)(a) as they are intended for profit rather than expression.

Select the correct answer:

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

Correct Answer: (a)

Explanation:

- **Statement 1: Correct.** Freedom of the Press is not explicitly mentioned but is part of 19(1)(a).
- **Statement 2: Correct.** SC upheld censorship in the K.A. Abbas v. Union of India case.
- **Statement 3: Incorrect.** Commercial speech (advertisements) is **protected**, provided they are not misleading or illegal (Tata Press Ltd. case).

9. With reference to the Freedom of Profession, consider the following statements:

1. The State is empowered to prescribe professional or technical qualifications necessary for practicing any profession.
2. The State is allowed to carry on any trade or business to the exclusion of citizens, and such a "State Monopoly" cannot be challenged as a violation of Article 19(1)(g).
3. This right includes the right to carry on a business which is inherently dangerous or immoral (like trading in liquor or explosives) subject to heavy taxes.

Which of the statements given above are correct?

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

Correct Answer: (a)

Explanation:

- **Statement 1: Correct.** Doctors, Lawyers, etc., must meet qualifications.
- **Statement 2: Correct.** The State can create a monopoly in its favor.
- **Statement 3: Incorrect.** No one has a fundamental right to carry on a business that is res extra commercium (outside commerce), like gambling or illegal drugs.

10. Article 20 provides protection against arbitrary and excessive punishment. Consider the following statements:

1. Ex-post-facto Law: No person shall be convicted of any offence except for violation of a law in force at the time of the commission of the act. This protection is available in both criminal and civil laws.
2. Double Jeopardy: No person shall be prosecuted and punished for the same offence more than once. This protection is available only in proceedings before a court of law or judicial tribunal.

3. Self-Incrimination: No person accused of any offence shall be compelled to be a witness against himself. This extends only to oral evidence and not to production of material objects or thumb impressions.

Which of the statements given above is/are correct?

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

Correct Answer: (a)

Explanation:

- **Statement 1: Incorrect.** The protection against ex-post-facto laws is available **only in criminal laws**, not in civil or tax laws.
- **Statement 2: Correct.** It does not apply to departmental or administrative proceedings.
- **Statement 3: Incorrect.** It extends only to **compulsion to be a witness** (giving testimony). It **does not extend** to the compulsion to give thumb impressions, specimens of signature, or blood samples.

Articles 21 to 24 of the Fundamental Rights

1. With reference to Article 21 of the Indian Constitution, consider the following statements:

1. In the A.K. Gopalan case (1950), the Supreme Court took a narrow view and held that Article 21 offers protection only against arbitrary executive action and not against arbitrary legislative action.
2. The concept of 'Due Process of Law' is explicitly mentioned in the text of the Indian Constitution to ensure that a law must be just, fair, and reasonable.

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

Correct Answer: (a)

Explanation:

- **Statement 1: Correct.** In 1950, the SC held that 'Procedure Established by Law' meant that if a law was enacted by a competent legislature, the court could not question its reasonableness.
- **Statement 2: Incorrect.** The expression 'Due Process of Law' is **not** mentioned in the Constitution. However, in the Maneka Gandhi case (1978), the Supreme Court introduced the American concept of 'Due Process' by ruling that the 'procedure' must be just, fair, and non-arbitrary.

2. Arrange the following landmark judicial pronouncements related to Article 21 in the correct chronological order:

1. Justice K.S. Puttaswamy v. Union of India (Right to Privacy)
2. Maneka Gandhi v. Union of India (Right to go abroad)
3. A.K. Gopalan v. State of Madras (Personal Liberty narrow view)
4. Olga Tellis v. Bombay Municipal Corporation (Right to Livelihood)

Select the correct answer using the code given below:

- (a) 3-2-4-1
- (b) 3-4-2-1
- (c) 2-3-4-1

(d) 4-3-2-1

Correct Answer: (a)

Explanation:

1. **A.K. Gopalan Case (1950):** Narrow interpretation of Article 21.
2. **Maneka Gandhi Case (1978):** Broad interpretation; established that Articles 14, 19, and 21 are a "Golden Triangle."
3. **Olga Tellis Case (1985):** Declared Right to Livelihood as part of Right to Life.
4. **Puttaswamy Case (2017):** Declared Right to Privacy as a Fundamental Right.

3. Consider the following pairs regarding the expansion of Article 21:

Case Name	Right/Doctrine Established
I. MC Mehta v. Union of India	Right to live in a healthy environment.
II. Parmanand Katara v. Union of India	Right of every injured citizen to get medical aid.
III. Hussainara Khatoon v. Home Secretary, Bihar	Right to a speedy trial.
IV. Common Cause v. Union of India	Right to die with dignity (Passive Euthanasia).

How many of the above pairs are correctly matched?

- (a) Only one pair
- (b) Only two pairs
- (c) Only three pairs
- (d) All four pairs

Correct Answer: (d)

Explanation:

All pairs are famous for expanding the scope of Article 21. Hussainara Khatoon is especially significant as it led to the first major PIL in India regarding undertrials. Common Cause (2018) legalized passive euthanasia and living wills.

4. With reference to Article 21A, consider the following statements:

1. It makes the right to free and compulsory education for children aged 6 to 14 years a Fundamental Right.
2. The 86th Constitutional Amendment Act, 2002, replaced the existing Article 45 in Part IV (DPSP) which now requires the State to provide early childhood care for all children until they complete age six.
3. Under Article 51A (Fundamental Duties), it is now a duty of every citizen who is a parent or guardian to provide opportunities for education to his child between the age of 6 and 14 years.

Which of the statements given above are correct?

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

Correct Answer: (d)

Explanation:

- **Statement 1: Correct.** This was added as a FR to ensure universal primary education.

- **Statement 2: Correct.** Article 45 previously covered up to 14 years; it was modified after 21A was inserted.
- **Statement 3: Correct.** This became the 11th Fundamental Duty (Clause 'k').

5. Consider the following statements regarding Article 22 of the Constitution:

1. Punitive detention is to punish a person for an offence committed by him after trial and conviction in a court, whereas preventive detention is to prevent him from committing an offence in the near future.
2. The protection against arrest and detention under Article 22 is available to both citizens and enemy aliens.

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

Correct Answer: (a)

Explanation:

- **Statement 1: Correct.** It explains the fundamental difference between the two types of detention.
- **Statement 2: Incorrect.** The second part of Article 22 (Preventive Detention) does not grant protection to **Enemy Aliens**. Furthermore, the procedural safeguards of the first part (Art 22(1) and (2)) are specifically denied to enemy aliens.

6. Regarding the rights of a person arrested under ordinary law (Article 22(1)), which of the following statements is/are correct?

1. The arrested person has a right to be informed of the grounds of arrest as soon as may be.
2. The right to consult and be defended by a legal practitioner of his choice is a mandatory constitutional requirement.
3. These safeguards apply to arrests made under orders of a court, civil arrest, and failure to pay income tax.

Select the correct answer:

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

Correct Answer: (a)

Explanation:

- **Statement 1 & 2: Correct.** These are core procedural rights.
- **Statement 3: Incorrect.** The Supreme Court held that these safeguards **do not apply** to civil arrests, arrests for failure to pay income tax, or deportation of an alien. They apply only to arrests of a "criminal or quasi-criminal" nature.

7. Consider the following statements regarding the 24-hour production rule:

1. Every person who is arrested and detained in custody shall be produced before the nearest magistrate within a period of 24 hours.
2. The 24-hour period includes the time necessary for the journey from the place of arrest to the court of the magistrate.
3. No such person shall be detained in custody beyond 24 hours without the authority of a magistrate.

Which of the statements given above is/are correct?

- (a) 1 only

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

Correct Answer: (b)

Explanation:

- **Statement 1 & 3: Correct.** These are fundamental protections against illegal police custody.
- **Statement 2: Incorrect.** The period of 24 hours **excludes** the time necessary for the journey.

8. With reference to Preventive Detention and related laws, consider the following statements:

1. Under Article 22(5), when any person is detained in pursuance of a preventive detention law, the authority shall, as soon as may be, communicate to him the grounds on which the order has been made.
2. The Prevention of Terrorism Act (POTA), 2002, was enacted to replace TADA but was eventually repealed in 2004.

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

Correct Answer: (c)

Explanation:

- **Statement 1: Correct.** However, the authority can refuse to disclose facts it considers to be against the public interest.
- **Statement 2: Correct.** POTA was a controversial anti-terror law repealed due to concerns over misuse.

9. With reference to Article 23 of the Constitution, consider the following statements:

1. The right against exploitation under Article 23 is available to both citizens and non-citizens.
2. It prohibits 'begar' and other similar forms of forced labour, including the practice of Devadasi and slavery.
3. As an exception, the State is permitted to impose compulsory service for public purposes (like military or social service) and can provide extra pay based on the religion or caste of the individual.

Which of the statements given above are correct?

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

Correct Answer: (a)

Explanation:

- **Statement 1: Correct.** It is a universal right in India.
- **Statement 2: Correct.** The Supreme Court has given Article 23 a wide scope to include economic or physical compulsion.
- **Statement 3: Incorrect.** While the State can impose compulsory service, it **cannot discriminate** on grounds only of religion, race, caste, or class while doing so.

10. Regarding the prohibition of employment of children in factories, etc. (Article 24), consider the following statements:

1. It prohibits the employment of children below the age of 14 years in any factory, mine, or other hazardous activities like construction work or railways.
2. It is a complete/absolute prohibition on the employment of children in any occupation, whether hazardous or non-hazardous.
3. The Child Labour (Prohibition and Regulation) Amendment Act, 2016, allows children to work in certain family-based occupations after school hours.

Which of the statements given above is/are correct?

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

Correct Answer: (b)

Explanation:

- **Statement 1: Correct.** This is the core constitutional provision.
- **Statement 2: Incorrect.** Article 24 originally prohibited employment in **hazardous** activities only. It was not a blanket ban on all work.
- **Statement 3: Correct.** The 2016 amendment banned child labor in all occupations but provided an exception for helping in family enterprises or as artists, provided it doesn't affect education.

Cultural and Educational Rights (Articles 29–30) and Freedom of Religion (Articles 25–28)

1. With reference to Article 25 of the Indian Constitution, consider the following statements:

1. It covers not only religious beliefs (doctrines) but also religious practices (rituals), and it is available to both citizens and non-citizens.
2. The Article contains two explanations: one stating that the wearing and carrying of *kirpans* is included in the profession of the Sikh religion, and the other stating that Hindus include Sikhs, Jains, and Buddhists.
3. The right is absolute and cannot be restricted by the state under any circumstances related to social reform.

Which of the statements given above are correct?

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

Correct Answer: (a)

Explanation:

- **Statement 1: Correct.** Article 25 has a wide scope protecting both belief and practice for all persons.
- **Statement 2: Correct.** These specific explanations are provided within the text of Article 25 to clarify the scope of the "Sikh" profession and the definition of "Hindu" for secular state activities.
- **Statement 3: Incorrect.** Article 25 is subject to public order, morality, and health. Furthermore, the State can intervene for social welfare and reform, such as throwing open Hindu religious institutions of a public character to all classes.

2. Regarding the rights of religious denominations under Article 26, consider the following statements:

1. Every religious denomination has the right to establish and maintain institutions for religious and charitable purposes and to manage its own affairs in matters of religion.
2. Unlike Article 25, the rights under Article 26 are not subject to "Health" as a ground for restriction.
3. The Supreme Court held that to qualify as a 'religious denomination', a group must have a common faith, a common organization, and a distinctive name.

Which of the statements given above are correct?

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

Correct Answer: (b)

Explanation:

- **Statement 1: Correct.** This is the core of collective religious freedom.
- **Statement 2: Incorrect.** Article 26 is subject to **Public order, Morality, and Health** (same as Art 25, though Art 25 has additional restrictions related to other Fundamental Rights).
- **Statement 3: Correct.** In the *Acharya Jagdishwaranand* case (Ananda Marga case), the SC laid down these three criteria for a group to be called a denomination.

3. With reference to Article 27 of the Constitution, consider the following statements:

1. It prohibits the State from compelling any person to pay any taxes, the proceeds of which are specifically appropriated for the promotion or maintenance of any particular religion.
2. This provision prohibits the State from spending public money for the promotion of all religions together on an equitable basis.
3. Article 27 prohibits the levy of a tax but does not prohibit the levy of a 'fee' to provide service or regulation to religious institutions.

Which of the statements given above is/are correct?

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

Correct Answer: (b)

Explanation:

- **Statement 1: Correct.** This ensures the secular character of the state.
- **Statement 2: Incorrect.** The State **can** spend public money for the promotion of all religions equally; it only prohibits favoring one *particular* religion.
- **Statement 3: Correct.** Fees can be levied (e.g., for secular administration or providing safety/pilgrim facilities) because a fee is a payment for a specific service, unlike a tax.

4. Consider the following statements regarding Article 28 of the Indian Constitution:

1. No religious instruction shall be provided in any educational institution wholly maintained out of State funds.
2. In institutions recognized by the State or receiving aid out of State funds, religious instruction is permitted only on a voluntary basis with the consent of the individual or guardian.
3. Article 28 makes a distinction between "religious instruction" and "study of religions," where the latter is permitted even in state-run institutions.

Which of the statements given above are correct?

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

Correct Answer: (d)

Explanation:

- **Statement 1: Correct.** This is an absolute prohibition for institutions fully owned by the state.
- **Statement 2: Correct.** For aided/recognized institutions, no person can be "compelled" to attend religious instructions.
- **Statement 3: Correct.** The Supreme Court has clarified that teaching about different religions for academic/cultural purposes is not the same as imparting religious instruction (proselytizing or worship).

5. Article 28 distinguishes between four types of educational institutions. Which of the following is NOT correctly matched with its rule regarding religious instruction?

- (a) Institutions wholly maintained by the State: Religious instruction is completely prohibited.
- (b) Institutions administered by the State but established under any endowment or trust: Religious instruction is permitted.
- (c) Institutions recognized by the State: Religious instruction is permitted on a voluntary basis.
- (d) Institutions receiving aid from the State: Religious instruction is completely prohibited.

Correct Answer: (d)

Explanation:

For institutions **receiving aid from the State**, religious instruction is **permitted on a voluntary basis** (consent required), not completely prohibited. Complete prohibition (Option A) applies only to those **wholly maintained** by the State.

6. With reference to Article 29, consider the following statements:

1. Article 29(1) protects the right of "any section of citizens" (including both minorities and majorities) to conserve their distinct language, script, or culture.
2. Article 29(2) is a right of a citizen as an individual, prohibiting denial of admission into state-aided educational institutions on grounds only of religion, race, caste, or language.

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

Correct Answer: (c)

Explanation:

- **Statement 1: Correct.** Though titled "Protection of Minorities," the SC in the *Ahmedabad St. Xavier's College* case held that the words "any section of citizens" includes the majority as well.
- **Statement 2: Correct.** While 29(1) is a group right, 29(2) is an individual right against discrimination in admissions.

7. Regarding the protection of minorities under Article 29, consider the following statements:

1. It grants protection to both religious minorities and linguistic minorities.
2. The right to conserve a language includes the right to agitate for the protection of that language, thus political speeches for language conservation do not necessarily violate the Model Code of Conduct.
3. The scope of Article 29 is restricted only to the preservation of scripts and does not extend to the preservation of oral traditions or dialects.

Which of the statements given above are correct?

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

Correct Answer: (a)

Explanation:

- **Statement 1: Correct.** Both types of minorities are recognized.
- **Statement 2: Correct.** The SC held that the right to conserve language is broad and includes political agitation.
- **Statement 3: Incorrect.** It explicitly mentions "language, script or culture," which covers oral traditions and dialects as part of a culture or language.

8. Consider the following statements regarding Article 30 of the Indian Constitution:

1. It grants all minorities (religious or linguistic) the right to establish and administer educational institutions of their choice.
2. If the State compulsorily acquires the property of a minority educational institution, it must ensure that the compensation amount fixed does not abridge the right guaranteed under Article 30.

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

Correct Answer: (c)

Explanation:

- **Statement 1: Correct.** This is the primary right under 30(1).
- **Statement 2: Correct.** This protection was added by the **44th Amendment Act, 1978**, to protect minority institutions when the general "Right to Property" was deleted as a FR.

9. The right under Article 30 includes the right of a minority to impart education to its children in its own language. Regarding state regulation, consider the following statements:

1. Minority institutions seeking recognition and aid from the State are subject to the regulatory power of the State regarding academic standards, syllabus, and discipline.
2. Minority institutions seeking only recognition (but no aid) are totally free from any State regulation or control over teacher qualifications.
3. Institutions neither seeking recognition nor aid are free to administer their affairs but are still subject to general laws like contract law, labor laws, and taxation.

Which of the statements given above is/are correct?

- (a) 1 only
- (b) 1 and 3 only
- (c) 2 and 3 only

(d) 1, 2 and 3

Correct Answer: (b)

Explanation:

- **Statement 1: Correct.** State can regulate for excellence in education.
- **Statement 2: Incorrect.** Even if they don't seek aid, if they seek **recognition**, they must follow state norms for syllabus, teaching standards, and sanitation.
- **Statement 3: Correct.** No institution is above the general law of the land (e.g., labor laws, industrial disputes act).

10. With reference to the rights conferred on minorities under Article 30, consider the following statements:

1. The right to administer a minority educational institution includes the right to "mal-administer," meaning the State cannot interfere even in cases of financial irregularities.
2. The State cannot discriminate against any educational institution in granting aid on the ground that it is under the management of a minority.

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

Correct Answer: (b)

Explanation:

- **Statement 1: Incorrect.** The SC has repeatedly held that the right to administer is **not a right to mal-administer**. Regulatory measures to promote efficiency and prevent corruption are valid.
- **Statement 2: Correct.** This is explicitly stated in Article 30(2).

Fundamental Rights (Articles 32–35), Writs, and special provisions.

1. With reference to Article 32 of the Indian Constitution, consider the following statements:

1. It is a fundamental right itself and has been described as the 'Soul of the Constitution' by Dr. B.R. Ambedkar.
2. The Parliament can empower any other court to issue directions, orders, and writs of all kinds for the enforcement of fundamental rights, but with prejudice to the powers of the Supreme Court.
3. The right to move the Supreme Court can be suspended by the President only during a National Emergency under Article 359.

Which of the statements given above are correct?

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

Correct Answer: (c)

Explanation:

Statement 1: Correct. Article 32 makes the fundamental rights real by providing a remedy for their enforcement.

Statement 2: Incorrect. While SC and HC currently have this power, Parliament can extend it to other courts (like District Courts) via law. The Parliament can empower any other court to issue directions, orders, and writs of all kinds for the enforcement of fundamental rights, without prejudice to the powers of the Supreme Court.

Statement 3: Correct. This right cannot be suspended except as provided by the Constitution (National Emergency).

2. Consider the following statements regarding the violation and enforcement of Fundamental Rights:

1. During a National Emergency, the President can suspend the enforcement of all Fundamental Rights except those guaranteed by Articles 20 and 21.
2. Article 32 can be invoked to determine the constitutionality of an executive order or a law even if it does not directly infringe upon any fundamental right.
3. The Supreme Court has concurrent jurisdiction with the High Courts for the enforcement of fundamental rights, but a person must first approach the High Court before moving to the Supreme Court.

Which of the statements given above is/are correct?

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

Correct Answer: (a)

Explanation:

Statement 1: Correct. This was established by the 44th Amendment Act, 1978.

Statement 2: Incorrect. Article 32 can **only** be invoked for the enforcement of Fundamental Rights. It cannot be used to challenge a law simply because it is unconstitutional unless an FR is violated.

Statement 3: Incorrect. While jurisdiction is concurrent, Article 32 is itself an FR. Therefore, one can move the SC **directly** without going to the HC first, though the SC usually encourages HCs to be approached first.

3. With reference to the writ of 'Habeas Corpus', consider the following statements:

1. It is an order issued by the court to a person who has detained another person, to produce the body of the latter before it.
2. This writ can be issued against both public authorities as well as private individuals.
3. It can be issued where the detention is by a competent court or where the detention is outside the jurisdiction of the court.

Which of the statements given above are correct?

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

Correct Answer: (a)

Explanation:

Statement 1: Correct. It literally means to have the body of.

Statement 2: Correct. It is the only writ that can be issued against private individuals to prevent illegal confinement.

Statement 3: Incorrect. It is also not issued if the detention is for contempt of a legislature or a court. It cannot be issued where the detention is by a competent court or where the detention is outside the jurisdiction of the court.

4. Regarding the writ of 'Mandamus', consider the following statements:

1. It is a command issued by the court to a public official asking him to perform his official duties that he has failed or refused to perform.
2. It can be issued against a private individual or body if they are performing a public duty under a contract.
3. It cannot be issued against the President of India or the State Governors in their official capacity.

Which of the statements given above is/are correct?

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

Correct Answer: (b)

Explanation:

Statement 1: Correct. It literally means we command.

Statement 2: Incorrect. Mandamus **cannot** be issued against a private individual or body, nor can it be used to enforce contractual obligations.

Statement 3: Correct. Article 361 provides immunity to the President and Governors from such writs.

5. Consider the following statements regarding the writ of 'Prohibition':

1. It is issued by a higher court to a lower court or tribunal to prevent the latter from exceeding its jurisdiction or usurping a jurisdiction which it does not possess.
2. Unlike Mandamus, which directs activity, Prohibition directs inactivity.
3. This writ can be issued against administrative authorities, legislative bodies, and private individuals.

Which of the statements given above are correct?

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

Correct Answer: (a)

Explanation:

Statement 1: Correct. It is a preventive writ.

Statement 2: Correct. It is often called a Stay Order.

Statement 3: Incorrect. Prohibition can be issued **only** against judicial and quasi-judicial authorities. It is not available against administrative authorities, legislative bodies, or private individuals.

6. With reference to the writ of 'Certiorari', consider the following statements:

1. It is issued by a higher court to a lower court either to transfer a case pending with the latter to itself or to squash the order of the latter in a case.
2. It cannot be issued on the grounds of excess of jurisdiction or lack of jurisdiction or error of law.
3. Until 1991, Certiorari was issued only against judicial and quasi-judicial bodies, but the Supreme Court ruled that it can now be issued against administrative authorities as well.

Which of the statements given above are correct?

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

Correct Answer: (c)

Explanation:

Statement 1: Correct. It is both preventive and curative.

Statement 2: Correct. It corrects errors on the face of the record. It is issued on the grounds of excess of jurisdiction or lack of jurisdiction or error of law.

Statement 3: Correct. The 1991 SC judgement expanded its scope to include administrative authorities affecting the rights of individuals.

7. Regarding the writ of 'Quo-Warranto', consider the following statements:

1. It is issued by the court to enquire into the legality of the claim of a person to a public office.
2. It can be issued even in the case of a ministerial office or private office if the public interest is involved.
3. Unlike the other four writs, this can be sought by any interested person and not necessarily by the aggrieved person.

Which of the statements given above is/are correct?

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

Correct Answer: (b)

Explanation:

Statement 1: Correct. It literally means by what authority.

Statement 2: Incorrect. It **cannot** be issued in case of ministerial office or private office. It must be a substantive public office of a permanent character created by statute or constitution.

Statement 3: Correct. This is an exception to the rule of Locus Standi.

8. Consider the following comparison between the writ jurisdiction of the Supreme Court (SC) and High Courts (HC):

Feature	Supreme Court (Art 32)	High Court (Art 226)
I. Purpose	Only for Fundamental Rights.	For FRs and ordinary legal rights.
II. Territorial Scope	Throughout the territory of India.	Within its territorial jurisdiction only.
III. Discretion	It is a mandatory duty (as Art 32 is an FR).	It is discretionary.

Which of the statements given above are correct?

- (a) I and II only
- (b) II and III only
- (c) I and III only
- (d) I, II and III

Correct Answer: (d)

Explanation:

Statement I: Correct. HC has a wider jurisdiction in terms of purpose.

Statement II: Correct. SC has a wider jurisdiction in terms of territory.

Statement III: Correct. SC cannot refuse to exercise writ jurisdiction for FRs, but HC can refuse if an alternative remedy exists.

9. With reference to Article 33 of the Constitution, consider the following statements:

1. It empowers the Parliament to restrict or abrogate the fundamental rights of the members of armed forces, para-military forces, and police forces.
2. This power of restriction is available to both the Parliament and the State Legislatures to ensure discipline.
3. A law made under Article 33 cannot be challenged in any court on the ground of contravention of any of the fundamental rights.

Which of the statements given above are correct?

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

Correct Answer: (c)

Explanation:

Statement 1: Correct. It also includes non-combatant employees of these forces like barbers, cooks, etc.

Statement 2: Incorrect. This power is conferred **exclusively on the Parliament.**

Statement 3: Correct. This is to maintain the integrity and discipline of the forces.

10. Regarding Article 34 and Martial Law, consider the following statements:

1. It provides for the restriction of fundamental rights while martial law is in force in any area within the territory of India.
2. The concept of 'Martial Law' has been clearly defined in Article 34 of the Constitution to distinguish it from a National Emergency.
3. Article 34 empowers the Parliament to indemnify any government servant for any act done by him in connection with the maintenance of order during martial law.

Which of the statements given above is/are correct?

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

Correct Answer: (b)

Explanation:

Statement 1: Correct. It is an extraordinary situation where military rule replaces civil administration.

Statement 2: Incorrect. The expression 'Martial Law' has **not been defined** anywhere in the Constitution.

Statement 3: Correct. This power of Indemnity allows the Parliament to protect officials from legal consequences for actions taken during the martial law period.

Fundamental Rights, Constitutional Amendments, and Constitutional Rights outside Part III

1. Consider the following comparison between Martial Law (Article 34) and National Emergency (Article 352):

Feature	Martial Law	National Emergency
1. Effect	Suspends the ordinary law courts and government.	Government and ordinary law courts continue.
2. Scope	Affects only Fundamental Rights.	Affects Fundamental Rights, Centre-State relations, and revenue distribution.
3. Application	Imposed only in areas where there is a breakdown of order.	Can be imposed in the entire country or any part thereof.

Which of the pairs given above is/are correctly matched?

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

Correct Answer: (d)

Explanation:

Statement 1: Correct. Martial Law is extra-constitutional in the sense that military authorities take over the civil administration. In a National Emergency, the civil administration remains functional.

Statement 2: Correct. Martial Law is specifically focused on restoring order and only impacts FRs in that area. A National Emergency has a wider constitutional impact on the federal structure.

Statement 3: Correct. Martial Law is area-specific (localized), whereas Article 352 can be nationwide.

2. With reference to Article 35 of the Constitution of India, consider the following statements:

1. The power to make laws to give effect to certain specified fundamental rights is vested exclusively in the Parliament and not in the state legislatures.
2. Parliament can make laws prescribing residence as a condition for certain employments under Article 16, but only for Union Territories and not for States.
3. Laws relating to the punishment for offences like 'Untouchability' (Art 17) and 'Forced Labour' (Art 23) must be enacted by the Parliament to ensure uniformity throughout India.

Which of the statements given above are correct?

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

Correct Answer: (b)

Explanation:

Statement 1: Correct. This is to ensure that the nature of FRs and the punishment for their violation do not vary from state to state.

Statement 2: Incorrect. Under Article 35, Parliament has the power to prescribe residence requirements for employments in both States and Union Territories (as seen in Art 16(3)).

Statement 3: Correct. The Parliament is specifically mandated to prescribe punishment for acts declared as offences under Part III.

3. Article 31A was added to the Constitution to protect certain types of laws from being challenged on the grounds of violation of Articles 14 and 19. Consider the following statements:

1. Article 31A protects laws related to the acquisition of any 'estate' or related rights by the State.
2. For a state law to enjoy protection under Article 31A, it must have been reserved for the consideration of the President and received his assent.
3. It does not protect laws related to the amalgamation of two or more corporations in the public interest.

Which of the statements given above are correct?

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

Correct Answer: (a)

Explanation:

Statement 1: Correct. This was primarily intended to facilitate land reforms and the abolition of the Zamindari system.

Statement 2: Correct. This is a mandatory constitutional requirement for state-legislated laws to seek the umbrella of Article 31A.

Statement 3: Incorrect. Article 31A (c) and (d) cover the takeover of management and amalgamation of corporations. It also protects laws related to the amalgamation of two or more corporations in the public interest.

4. Regarding Article 31B and the Ninth Schedule, consider the following statements:

1. Article 31B is wider than Article 31A because it protects any law included in the Ninth Schedule from all Fundamental Rights, not just Articles 14 and 19.
2. According to the *I.R. Coelho* case (2007), laws placed in the Eighth Schedule after April 24, 1973, are open to judicial review if they violate the Basic Structure 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

Correct Answer: (c)

Explanation:

Statement 1: Correct. Article 31B saves acts from any of the fundamental rights, whereas 31A is limited to 14 and 19.

Statement 2: Incorrect. This date marks the *Kesavananda Bharati* judgment. The Court ruled that the Ninth Schedule cannot be a safe harbor for laws that destroy the Basic Structure.

5. Consider the following pairs regarding rights found outside Part III of the Constitution:

Article	Nature of Right
I. Article 265	No tax shall be levied or collected except by authority of law. Unlike Fundamental Rights, these rights are not enforceable by the Supreme Court under Article 32.

II. Article 300-A	No person shall be deprived of his property save by authority of law. If these rights are violated, the aggrieved person can approach the High Court under Article 226.
III. Article 326	Right to be registered as a voter at elections to the Lok Sabha and Legislative Assemblies. The 63rd Amendment (1989) reduced the voting age under Article 326 from 21 to 18 years.

Select the correct answer:

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

Correct Answer: (a) Explanation:

Statement 1: Correct. Article 32 is strictly for Part III rights.

Statement 2: Correct. Article 226 has a wider reach and covers for any other purpose, which includes constitutional and legal rights.

Statement 3: Incorrect. This was a landmark change in the democratic process of India. The 61st Amendment (1989) reduced the voting age under Article 326 from 21 to 18 years.

6. With reference to the Directive Principles of State Policy (Part IV), consider the following statements:

1. They were described by Dr. B.R. Ambedkar as 'Novel Features' of the Indian Constitution and are based on the 'Instrument of Instructions' of the GOI Act, 1935.
2. While not enforceable by any court, they are fundamental in the governance of the country and it shall be the duty of the State to apply these principles in making laws.
3. Their primary objective is to establish 'Political Democracy' in the country, supplementing the 'Social and Economic Democracy' of Fundamental Rights.

Which of the statements given above is/are correct?

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

Correct Answer: (a) Explanation:

Statement 1: Correct. They are the modern equivalent of the instructions given to the Governor-General by the British.

Statement 2: Correct. As per Article 37, they are fundamental to governance.

Statement 3: Incorrect. FRs aim at **Political Democracy**, while DPSPs aim at **Social and Economic Democracy**. The statement has swapped the two.

7. The 42nd Amendment Act, 1976, made several changes to the scheme of Fundamental Rights and DPSPs. Consider the following statements:

1. It gave precedence to all Directive Principles over the Fundamental Rights guaranteed by Articles 14, 19, and 31.
2. It added three new Directive Principles: Equal justice and free legal aid, Participation of workers in management, and Protection of the environment.

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

Correct Answer: (c) Explanation:

Statement 1: Correct. This was done by amending Article 31C. However, the Supreme Court later struck down this extension in the *Minerva Mills* case (1980).

Statement 2: Correct. These were Articles 39A, 43A, and 48A respectively.

8. Regarding the 44th Amendment Act, 1978, consider the following statements:

1. It deleted the Right to Property (Article 19(1)(f) and Article 31) from the list of Fundamental Rights.
2. It provided that the enforcement of the rights guaranteed by Articles 20 and 21 can be suspended even during a National Emergency.

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

Correct Answer: (a) Explanation:

Statement 1: Correct. Property became a constitutional right under Article 300A.

Statement 2: Incorrect. This was a safeguard against the excesses seen during the 1975-77 Emergency. It provided that the enforcement of the rights guaranteed by Articles 20 and 21 cannot be suspended even during a National Emergency.

9. The 86th Amendment Act, 2002, is a watershed moment for educational rights. Consider the following statements:

1. It inserted Article 21A, making elementary education a fundamental right for children between 6 and 14 years.
2. It changed the subject matter of Article 45 (DPSP), shifting the focus to early childhood care and education for children below the age of six years.

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

Correct Answer: (c) Explanation:

Statement 1: Correct. It transformed a DPSP into a justiciable Fundamental Right.

Statement 2: Correct. Since 6-14 was now covered by Art 21A, Art 45 was modified to cover the 0-6 age group.

10. With reference to the 97th Amendment Act, 2011, consider the following statements:

1. It made the right to form co-operative societies a fundamental right under Article 19(1)(d).
2. It included a new Directive Principle of State Policy (Article 43B) on the promotion of co-operative societies.

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

Correct Answer: (b) Explanation:

Statement 1: Incorrect. It added co-operative societies to the right to form associations or unions. It made the right to form co-operative societies a fundamental right under Article 19(1)(c).

Statement 2: Correct. It directed the State to promote voluntary formation, autonomous functioning, and professional management of co-operative societies.

