

Q 1.A

- Freedom of Religion is a Fundamental Right provided under Articles 25-28 of the Constitution. Freedom of religion also includes the freedom of conscience. This means that a person may choose any religion or may choose not to follow any religion. Hence, statement 1 is correct.
- Freedom of Religion includes the right to not just practice one's religion but also to propagate it. This includes persuading people to join one's religion and willful conversion from one religion to another. The Constitution bars forceful conversions and conversions done by inducements. Hence, statement 2 is not correct.
- Freedom of Religion is available to not just Indian citizens but also to foreign nationals residing within Indian territory. Hence, statement 3 is not correct.

Q 2.C

- Article 360 empowers the President to proclaim a Financial Emergency if he is satisfied that a situation has arisen due to which the financial stability or credit of India or any part of its territory is threatened. The 38th Amendment Act of 1975 made the satisfaction of the President in declaring a Financial Emergency final and conclusive and not questionable in any court on any ground. But, this provision was subsequently deleted by the 44th Amendment Act of 1978 implying that the satisfaction of the President is not beyond judicial review.
- Hence, option (c) is correct.

Q 3.D

- Ministry of Environment, Forest, and Climate Change has recently released the 'India State of Forest Report 2021'. It provides information on forest cover, tree cover, mangrove cover, growing stock, carbon stock in India's forests, forest fire monitoring, forest cover in tiger reserve areas, above ground estimates of biomass in Indian forests.
- Statement 1 is not correct: It is published biennially (and not annually) by the Ministry of Environment, Forest and Climate Change (MOEFCC) which is prepared by the Forest Survey of India (FSI). It has been mandated to assess the forest and tree resources of the country.
- Statement 2 is not correct: As per the reported increase of 2,261 sq km in the total forest and tree cover of the country in the last two years. As compared to the assessment of 2019, there is an increase of 2,261 sq km in the total forest and tree cover of the country. An increase in forest cover has

been observed in the open forests followed by very dense forests.

- Statement 3 is not correct: Maximum increase in forest cover witnessed in Andhra Pradesh (647 sq km) followed by Telangana (632 sq km) and Odisha (537 sq km). Area-wise Madhya Pradesh has the largest forest cover in the country followed by Arunachal Pradesh, Chhattisgarh, Odisha, and Maharashtra.

Q 4.C

The features of parliamentary government in India are:

- Presence of nominal and real executives;
- Majority party rule,
- Collective responsibility of the executive to the legislature,
- Membership of the ministers in the legislature,
- Leadership of the prime minister or the chief minister,
- Dissolution of the lower House (Lok Sabha or Assembly).

There are some differences between the British Parliamentary system and that of India. For example, the Indian Parliament is not a sovereign body like the British Parliament. Also, the Indian State has an elected head (republic) while the British State has hereditary head (monarchy).

5. Ans. (b) Coalition Governments may contain many parties. As a result, the Government has to take care of feelings of all the parties included in the Government. Thus, (R) and (A) both are correct but (R) is not a correct explanation of (A)

Q 6.D

- Statement 1 correct: Unlike the USA, where it has two sets of constitutions for center and states, India has a single constitution for both states and center. The Indian constitution is also flexible unlike the case of a true federation where it will be rigid. This is a centralizing tendency as states boundaries can be altered by the center.
- Statement 2 correct: The candidates selected for All India services were recruited and trained by the center but are to be served in the states, which do not have the capacity to 'remove' them.
- Statement 3 correct: The governor having many discretionary powers at the state is appointed by the

center. This is one of the major centralizing tendencies.

Q 7.B

- The first phase of the census and collection of details to update the National Population Register (NPR) have been postponed at least till September 2022.
- The NPR is a list of “usual residents of the country”.
- According to the Home Ministry, a “usual resident of the country” is one who has been residing in a local area for at least the last six months or intends to stay in a particular location for the next six months.
- NPR is not a citizenship enumeration drive, as it would record even a foreign national staying in a locality for more than six months.
- This makes NPR different from the NRC, which includes only Indian citizens while seeking to identify and exclude non-citizens. Hence statement 1 is not correct.
- The NPR is being prepared under provisions of the Citizenship Act, 1955 and the Citizenship (Registration of Citizens and issue of National Identity Cards) Rules, 2003.
- It is mandatory for every “usual resident of India” to register in the NPR. Hence statement 2 is correct.
- Only Assam will not be included (as per a notification by the Registrar General of India in August), given the recently completed NRC in that state
- NPR will be conducted in conjunction with the house-listing phase, the first phase of the Census, by the Office of Registrar General of India (RGI) for Census 2021.
- It is conducted at the local, sub-district, district, state and national levels.
- The data for NPR was first collected in 2010 along with the house-listing phase of Census 2011. Hence statement 3 is correct.
- In 2015, this data was updated by conducting door-to-door surveys.

Q 8.D

- In 1973, the Supreme Court ruled in Kesavananda Bharati case that there is a basic structure of the Constitution and nobody—not even the Parliament (through amendment)—can violate the basic structure. The Court did two more things. First, it said that right to property (the disputed issue) was not part of basic structure and therefore could be suitably abridged. Secondly, the Court reserved to itself the right to decide whether various matters are

part of the basic structure of the Constitution. This case is perhaps the best example of how judiciary uses its power to interpret the Constitution.

9. Answer(b) The various Central Ministries and State Governments draw up their own plans according to their needs, irrespective of the allocation received.

In reality, the Planning Commission coordinated with Central Ministries and State Governments to prepare the national plan and allocate resources. While individual ministries and states could have their own needs and proposals, their plans were integrated into the broader framework of the Five-Year Plans prepared by the Planning Commission. The allocation and planning were thus a coordinated effort rather than independent actions by each entity.

Q 10.A

- Democracy as a form of government only ensures that people take their own decisions. This does not guarantee that their decisions will be good. People can make mistakes. Involving the people in these decisions does lead to delays in decision making. It is also true that democracy leads to frequent changes in leadership. Sometimes this can set back big decisions and affect the government's efficiency.
- Democracy may lead to corruption for it is based on electoral competition due to more expenditure in elections, criminalisation of politics, etc.
- Democracy is based on consultation and discussion. A democratic decision always involves many persons, discussions and meetings. When a number of people put their heads together, they are able to point out possible mistakes in any decision. This takes time. But there is a big advantage in taking time over important decisions. This reduces the chances of rash or irresponsible decisions. Thus democracy improves the quality of decision-making.

Q 11.C

- Statement 1 is not correct: Fundamental rights can be amended by constitution amendment till they do not violate the basic structure of the constitution and thus they are not sacrosanct.
- Statement 2 is correct: are available against the actions of both State and private individuals. Few Rights like Abolition of Untouchability etc are available against private citizens also.
- Statement 3 is correct: These rights limit the power of the Executive and legislature and thus prevent tyranny of the executive and legislature.

Q 12.C

- Statement 1 is correct. Supreme Court in 1992 stated that Fundamental duties can be used in determining the constitutionality of any law.
- Statement 2 is correct. Parliament is free to enforce Fundamental duties through suitable legislation. Many legislations like the Prevention of Insults to National Honour Act, 1971 make insult to national symbols a punishable act.

Q 13.C

- Statement 1 is not correct: Though the word "Secular" was not added to the Preamble initially, the Indian Constitution has been secular from the beginning. It has Freedom of Religion (Art 25-28) and Protection of rights of minorities (Art 29-30) as Fundamental Rights. However, Indian secularism is different from the Western concept of secularism, where religion is treated as a personal matter and there is a strict separation between religion and State. In India, State can regulate economic, political, and secular activities related to religious practices, for example- throwing open Hindu religious institutions to all sections.
- Statement 2 is correct: As per Art 29(2), no citizen can be denied entry into any educational institute maintained by the State only on the grounds of religion, race, caste, or any of them.
- Statement 3 is not correct: The Freedom of Religion is not absolute. The Constitution provides for certain limitations on them. For example, every religious denomination has the right to establish and maintain institutions for religious and charitable purposes. But this is subject to restrictions of public order, morality, and health.

Q 14.B

- Cases related to dispute/conflict between Fundamental Right and Directive Principles of State Policy (DPSPs) -:
 - Champakam Dorairajan Case, 1951 - In this case, Supreme Court ruled that in case of any conflict between FRs and DPSPs, FRs would prevail. It declared that DPSPs have to conform to and run as subsidiaries to the fundamental right. However, it also held that FRs could be amended by the Parliament through constitutional amendment acts. This led to the First, Fourth, and Seventeenth Amendment Act to implement some of the DPSPs.

- Golak Nath case, 1967 - In this case, Supreme Court held that Parliament can't take away or abridge any of the Fundamental Rights, which are 'sacrosanct' in nature. Hence, the court held that Fundamental Rights can't be amended for the implementation of DPSPs. This led to the enactment of the 24th Amendment Act and the 25 amendment Act which inserted a new Article 31C.
- Kesavanand Bharti case, 1973 - In this case, Supreme Court declared the second provision of Article 31C as unconstitutional and invalid on the ground that judicial review is a basic feature of the Constitution. This led to the enactment of the 42nd Amendment Act which gave legal primacy and supremacy to the DPSPs over FRs conferred by Articles 14, 19, and 21.
- Minerva Mills case, 1980 - In this case, Supreme Court held the primacy of DPSPs over FRs as unconstitutional and invalid. It led to the subordination of DPSPs over FRs. However, FRs conferred by Articles 14 and 19 were accepted as subordinate to the DPSPs specified under Article 39(b) and (c).
 - The present position is that the FRs enjoy supremacy over DPSPs. However, Parliament can amend the FRs for implementing the DPSP, so long as the amendment doesn't destroy of the basic feature of the constitution.
 - Maneka Gandhi case, 1978 - It deals with rights guaranteed under Article 21 of the Constitution. Prior to this, there was 'procedure prescribed by law' which was replaced by 'due process of law' with respect to article 21 of the Constitution.
 - IR Coelho case in 2007—popularly known as the Ninth Schedule case—the Supreme Court took this further and argued that if the purpose of inserting a law into the Ninth Schedule was to undo a judgment of the Supreme Court, this could be examined by the courts. Also, the Supreme Court held that the laws placed under IX schedule after Kesavananda Bharati's judgment (24th April 1973) cannot be exempt from Judicial review.

Q 15.D

- The state has been defined in a wider sense so as to include all its agencies. It is the actions of these agencies that can be challenged in the courts as violating the Fundamental Rights.
- According to the Supreme Court, even a private body or an agency working as an instrument of the

State falls within the meaning of the 'State' under Article 12.

- DMRC has equal equity participation from GOI and GNCTD.
- RBI, UID Authority are statutory bodies.
- NITI Aayog performs important public functions like recommending the poverty line.
- Hence option (d) is the correct answer.

16. Consider the following statements:

1. The Parliament is empowered to alter the boundaries of any existing State of India.
2. A Bill pertaining to the alteration of the boundaries of any existing State of India can be introduced only in the Rajya Sabha and only on the recommendation of the President of India.

Which one of the statements given above is/are correct?

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

Q 17.B

• The Central Vigilance Commission (CVC) is the main agency for preventing corruption in the Central government. It was established in 1964 by an executive resolution of the Central government. Its establishment was recommended by the Santhanam Committee on Prevention of Corruption (1962–64). Thus, originally the CVC was neither a constitutional body nor a statutory body. Later, in 2003, the Parliament enacted a law conferring statutory status on the CVC. Hence, statement 1 is not correct.

• The CVC is a multi-member body consisting of a Central Vigilance Commissioner (chairperson) and not more than two vigilance commissioners. They are appointed by the President by warrant under his hand and seal on the recommendation of a three-member committee consisting of the prime minister as its head, the Union minister of home affairs and the Leader of the Opposition in the Lok Sabha. They hold office for a term of four years or until they attain the age of sixty five years, whichever is earlier. After their tenure, they are not eligible for further employment under the Central or a state government. Hence,

statement 2 is correct.

Q 18.C

• Statement 1 is correct: The purpose of Article 32 is to provide a guaranteed, effective, expeditious, inexpensive and summary remedy for the protection of the fundamental rights. Only the Fundamental Rights guaranteed by the Constitution can be enforced under Article 32 and not any other right like nonfundamental constitutional rights, statutory rights, customary rights and so on. In other words, the Supreme Court under Article 32, cannot determine a question that does not involve Fundamental Rights. Article 32 cannot be invoked simply to determine the constitutionality of an executive order or a legislation unless it directly infringes any of the fundamental rights.

• Statement 2 is not correct: In case of the enforcement of Fundamental Rights, the jurisdiction of the Supreme Court is original but not exclusive. It is concurrent with the jurisdiction of the high court under Article 226.

• Statement 3 is correct: The Supreme Court has ruled that Article 32 is a basic feature of the Constitution. Hence, it cannot be abridged or taken away even by way of an amendment to the Constitution.

Q 19.D

The Union Territories in India have been created for a variety of reasons. These are mentioned below:

- Political and administrative consideration-Delhi and Chandigarh.
- Cultural distinctiveness-Puducherry, Dadra and Nagar Haveli, and Daman and Diu.
- Strategic importance-Andaman and the Nicobar Islands and Lakshadweep.
- Special treatment and care of the backward and tribal people-Mizoram, Manipur, Tripura, and Arunachal Pradesh which later became states.
- Hence option (d) is the correct answer.

Q 20.A

• Freedom of speech and expression is guaranteed under Article 19(1) of the Indian constitution. It implies that every citizen has the right to express his views, opinions, belief, and convictions. The Supreme Court held that the freedom of speech and expression includes the following -:

- Right to propagate one's views as well as views of others.
- Freedom of press
- Freedom of Commercial advertisements
- Right against tapping of telephonic conversation

- Right to telecast
- Freedom of silence
- Right to know about government activities
- Right against the imposition of pre-censorship
- Right to demonstration or picketing but not right to strike

Q 21.B

- The National Commission for Protection of Child Rights is a statutory body established by an Act of Parliament, the Commission for Protection of Child Rights Act, 2005. The Commission works under the aegis of the Ministry of Women and Child Development. Hence statement 1 is not correct.
- National Commission for Protection of Child Rights (NCPCR) emphasizes the principle of universality and inviolability of child rights and recognizes the tone of urgency in all the child-related policies of the country. For the Commission, the protection of all children in the 0 to 18 years age group is of equal importance.
- The Commission shall perform the following functions, namely:
 - Examine and review the safeguards provided by any law for the protection of child rights and recommend measures for their effective implementation.
 - Present to the central government, reports upon working of those safeguards;
 - Inquire into violation of child rights
 - Examine all factors that inhibit the enjoyment of rights of children affected by terrorism, communal violence, riots,
 - Look into matters relating to children in need of special care and protection etc.
- The National Commission for Protection of Child Rights (NCPCR) has been designated as the agency to monitor provisions of the Right to Free and Compulsory Education (RTE) Act. Under the Act, NCPCR can investigate complaints and have the powers of a civil court in trying cases. Hence statement 2 is correct.

22. another linguistic Provinces committee consisted of Jawahar Lal Nehru, Sardar Vallabhbhai Patel and Pattabhi Sitaramayya, submitted its report in April 1949 and formally rejected language as the basis for reorganization of states.

Q 23.B

- Statement 1 is not correct: Indian liberalism is different from classical or western liberalism. Classical liberalism is more concerned with individual freedom. While in India, an individual identifies himself with the community to which he/she belongs. So Indian liberalism gives primacy to the rights of the individuals over the demands of social justice and community values.
- Statement 2 is correct: The reservation to deprived classes to meet their demands for social justice signifies the idea of Indian liberalism.

Q 24.C

- The National Human Rights Commission (NHRC) of India is a Statutory public body constituted under the Protection of Human Rights Act, 1993.
- The various human rights issues taken up by the Commission are as follows :
 - Abolition of Bonded Labour
 - Issues Concerning Right to Food
 - Protocols to the Convention on the Rights of the Child
 - Abolition of Child Labour
 - Trafficking in Women and Children
 - Maternal Anemia and Human Rights
 - Combating Sexual Harassment of Women at the Work Place
 - Abolition of Manual Scavenging
 - Dalits issues including Atrocities perpetrated on them
 - Problems faced by Denotified and Nomadic Tribes.
- Hence, option (c) is the correct answer.

25. Ans. (b) All the given statements are related to Panchayats except the statements in option (b). Provisions related to Panchayat were inserted by 73rd Amendment of the Constitution, while 74th Amendment is related to Municipalities.

Q 26.B

- Statement 1 is not correct: The conditions of service and tenure of office of the election commissioners and the regional commissioners shall be determined by the President. Under Article 324 of the Constitution of India, the Election Commission of India is vested with the power of superintendence, direction, and control of conducting the elections to the Lok Sabha and State Legislative Assemblies.

- Statement 2 is not correct: In case of difference of opinion amongst the Chief election commissioner and/or two other election commissioners, the matter is decided by the Commission by the majority.
- Statement 3 is correct: He cannot be removed from his office except in the same manner and on the same grounds as a judge of the Supreme Court. In other words, he can be removed by the president on the basis of a resolution passed to that effect by both the Houses of Parliament with the special majority, either on the ground of proved misbehavior or incapacity. Thus, he does not hold his office till the pleasure of the president, though he is appointed by him.

Q 27.C

- President's rule has no effect on Fundamental Rights whereas National Emergency and Martial Law have. When a National Emergency is declared, the Fundamental Rights under Article 19 are automatically suspended and this suspension continues till the end of the emergency.

Q 28.A

Constitution Amendment Directive Principles added/changed 42nd, 1976

- To secure opportunities for healthy development of children (Article 39)
- To promote equal justice and to provide free legal aid to the poor (Article 39 A)
- To take steps to secure the participation of workers in the management of industries (Article 43 A)
- To secure opportunities for healthy development of children (Article 39) To protect and improve the environment and to safeguard forests and wild life (Article 48 A). 44th, 1978 • The State shall, in particular, strive to minimize the inequalities in income, and endeavor to eliminate inequalities in status, facilities and opportunities, not only amongst individuals but also amongst groups of people residing in different areas or engaged in different vocations (Article 38(2)) 97th, 2011
- The State shall endeavour to promote voluntary formation, autonomous functioning, democratic control and professional management of co-operative societies. (Article 43-B) 86th, 2002 • The State shall endeavour to provide early childhood care and education for all children until they complete the age of six years. (The subject of article 45 changed)

Q 29.B

- The doctrine of Pleasure of President has been borrowed from the British. In England, The doctrine of pleasure means that the Crown has the power to terminate the services of a civil servant at any time they want without giving any notice of termination to the servant. Thus the civil servants work at the pleasure of the Crown which can remove them at any time. This doctrine is based on the concept of public policy and whenever the Crown feels that a civil servant should be removed from his office because keeping him will be against public policy, the Crown can remove such servant.
- India has adopted this provision though there exist some modifications in case of the civil servants. (Article 310)
- The term of office of the AG is not fixed by the Constitution. Further, the Constitution does not contain the procedure and grounds for his removal. He holds office during the pleasure of the president.
- CAG holds office for a period of six years or up to the age of 65 years, whichever is earlier. He can resign any time from his office by addressing the resignation letter to the president. He can also be removed by the president on same grounds and in the same manner as a judge of the Supreme Court. In other words, he can be removed by the president on the basis of a resolution passed to that effect by both the Houses of Parliament with a special majority, either on the ground of proved misbehavior or incapacity. Thus, he does not hold his office until the pleasure of the president, though he is appointed by him.
- The President can remove the chairman or any other member of UPSC from the office under the following circumstances:
 - If he is adjudged an insolvent (that is, has gone bankrupt)
 - If he engages, during his term of office, in any paid employment outside the duties of his office; or
 - If he is, in the opinion of the president, unfit to continue in office by reason of infirmity of mind or body.
 - In addition to these, the President can also remove the chairman or any other member of UPSC for misbehavior. However, in this case, the president has to refer the matter to the Supreme Court for an inquiry. If the Supreme Court, after the inquiry, upholds the cause of removal and advises so, the President can remove the chairman or a member. Under the provisions of the

Constitution, the advice tendered by the Supreme Court in this regard is binding on the President. Thus, Members/Chairman do not hold his office until the pleasure of the president, though they are appointed by him.

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

Q 31.A

- The Constitution of India has borrowed most of its provisions from the constitutions of various other countries as well as from the Government of India Act of 1935. Dr B R Ambedkar proudly acclaimed that the Constitution of India has been framed after 'ransacking all the known Constitutions of the World'.
- The structural part of the Constitution is, to a large extent, derived from the Government of India Act of 1935. The philosophical part of the Constitution (the Fundamental Rights and the Directive Principles of State Policy) derive their inspiration from the American and Irish Constitutions respectively. The political part of the Constitution (the principle of Cabinet Government and the relations between the executive and the legislature) have been largely drawn from the British Constitution.
- The other provisions of the Constitution have been drawn from the constitutions of Canada, Australia, Germany, USSR (now Russia), France, South Africa, Japan, and so on.
- However, the criticism that the Indian Constitution is a 'borrowed Constitution', a 'patchwork' and contains nothing new and original is unfair and illogical. This is because, the framers of the Constitution made necessary modifications in the features borrowed from other constitutions for their suitability to the Indian conditions, at the same time avoiding their faults.

Q 32.A

- Statement 1 is correct: State Election Commissions is entrusted to conduct elections to Panchayats

through 73rd and urban local bodies through 74th Constitutional amendment acts.

- Statement 2 is correct: The functions of delimitation, reservation and rotation of Panchayats seats is vested in State Election Commission. As per the recommendations of National Commission to Review the Working of the Constitution (NCRWC), the functions of delimitation, reservation and rotation of seats should be vested in a Delimitation Commission and not in the State Election Commission.
- Statement 3 is not correct: At present, there is no clear-cut provision regarding the submission of reports by State Election Commission. NCRWC also recommended that the State Election Commission should submit its annual or special reports to the Election Commission of India and to the Governor.

Q 33.C

- National Commission for Minorities falls under the Minorities Ministry of Minority Affairs.
- National Commission for Women falls under the Ministry of Women and Child Development.
- National Commission for STs falls under the Ministry of Tribal Affairs.
- Hence, only pairs 2 and 3 are correctly matched.

Q 34.C

- Statement 1 is correct: Article 280 of the Constitution of India provides for a Finance Commission. It is a quasi judicial body. The Finance Commission shall have all powers of civil court under Code of Civil Procedure (1908) in matters of summoning & enforcing attendance and requisitioning any public record from any court of office. Also Finance Commission shall be deemed to be a civil court for purposes of sections 480 and 482 of the CrPC provided under Finance Commission Act
- It is constituted by the President of India every fifth year or at such earlier time as he considers necessary.
- Statement 2 is not correct: The Finance Commission consists of a chairman and four other members to be appointed by the President. They hold office for such period as specified by the President in his order.
- Statement 3 is correct: They are eligible for reappointment.

35.Explanation :

Doctrine of Basic Structure concept was propounded by SC in India. It limits the constitution amending

power of the parliament as, it can only amend features that cannot change the identity of the constitution. **So, statement 1 is correct.**

With time, it has been accepted by various other countries, such as Pakistan, Bangladesh. Recently, Kenya has also applied this doctrine (May 2021).

However, countries like Singapore have even rejected the application of this doctrine. **So, statement 2 is not correct.**

Therefore, the correct answer is (a).

Q 36.D

- The Constitution of India was adopted on 26th November 1949 and formally started in January 1950. Since then, the constitution continues to function as the framework in which the government of our country operates.

- In the actual working of the Constitution, there has been enough flexibility of interpretations. Both political practice and judicial rulings have shown maturity and flexibility in implementing the Constitution. Changes have regularly been made in order to reflect the contemporary aspects of political philosophy and the aspirations of society. The Judiciary has contributed by interpreting various provisions concerning the right to education, the right to life and liberty, and the right to form and manage minority educational institutions. Political parties, political leaders, the government, and the Parliament, accepted the idea of inviolable basic structure introduced in the Kesavananda case. Even when there was talk about 'review' of the Constitution, it was understood that the exercise could not cross the limits set by the theory of the basic structure.

- The basic framework of the Constitution continues to suit our country. The provisions of the constitution reflect efforts to tackle the problems that the society was facing at the time of the making of the constitution. At the same time, the constitution was envisioned to be a document that provides the framework of the government for the future as well. Therefore, the constitution allows for a response to the challenges that may arise in the future.

- The makers of the Constitution placed the Constitution above ordinary law and expected that future generations will respect this document. At the same time, they recognized that in the future, it may require modifications. They understood that Constitution must be amended if required but it must be protected from unnecessary and frequent changes as well.

- The constitution is a sacred document but it may require changes from time to time as well. Therefore, the Constitution is not a static document or not the final word about everything and is not unalterable.

Q 37.B

- The Comptroller & Auditor General of India is provided with the security of tenure. He can be removed by the President only in accordance with the procedure mentioned in the Constitution. Thus, he does not hold his office till the pleasure of the president, though he is appointed by him. Also, he is not eligible for further office, either under the Government of India or of any state, after he ceases to hold his office. Hence, option (b) is correct.

- The Attorney General is not a full-time counsel for the Government. He does not fall in the category of government servants. Further, he is not debarred from private legal practice.

- The chairman of UPSC (on ceasing to hold office) is not eligible for further employment in the Government of India or a state. A member of UPSC (on ceasing to hold office) is eligible for appointment as the chairman of UPSC or a State Public Service Commission (SPSC), but not for any other employment in the Government of India or a state.

Q 39.C

- Right against Exploitation includes Article 23 and 24 of the Constitution.

- Article 23 prohibits traffic in human beings, begar (forced labour) and other similar forms of forced labour.

- Article 24 prohibits the employment of children below the age of 14 years in any factory, mine or other hazardous activities like construction work or railway.

- Protection against arrest and detention is provided under Article 22 and is under Right to Freedom (Art.19-22)

Q 40.A

- Statement 1 is correct: by this act, the constituent assembly made a fully sovereign body. This act also empowered the assembly to abrogate or alter any law made by the British in relation to India

- Statement 2 is not correct: The act abolished the office of the viceroy and provided for each dominion, a Governor-General.

- Statement 3 is not correct: This act ended British Rule in India and declared India as an independent and sovereign state from August 15, 1947. It

proclaimed the lapse of British paramountcy over Indian Princely states and granted freedom to princely states to either to join two independent states (Pakistan or India)s or remain independent.

Q 41.C

- If any foreign territory becomes a part of India, the Government of India specifies the persons who among the people of the territory shall be the citizens of India. Such persons become the citizens of India from the notified date. For example, when Pondicherry became a part of India, the Government of India issued the Citizenship (Pondicherry) Order, 1962, under the Citizenship Act, 1955.

Q 42.B

- Statement 1 is correct: Article 17 states that "Untouchability" is abolished and its practice in any form is forbidden.
- Statement 2 is not correct: Untouchability has not been defined by the constitution but various court judgments have expanded its meaning.
- Statement 3 is not correct: It is available against both the state and private individuals. Protection of Civil Rights Act, 1955 contains many provisions for this.
- Statement 4 is correct: Article 17 only states that the enforcement of any disability arising out of "Untouchability" shall be an offense punishable in accordance with the law. Protection of Civil Rights Act, 1955 contains the detailed provisions for this.

43.Ans. (c)

To help in organizing village (Gram) panchayats is not a part of fundamental duties provided in the Constitution. It is a Directive Principle of State Policy. According to Article 40, the State shall take steps to organize village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of selfgovernment. Under Article 51-A (d) to defend the country and render national service when called upon to do so, Under Article 51-A (f) to value and preserve the rich heritage of our composite culture and under Article 51-A(i) to safeguard public property and to abjure violence are the fundamental duties

Q 44.D

- A State Public Service Commission consists of a chairman and other members appointed by the governor of the state. The Constitution does not specify the strength of the Commission but has left the matter to the discretion of the Governor. Further, no qualifications are prescribed for the commission's membership except that one-half of the members of the commission should be such persons who have held office for at least ten years either under the government of India or under the Government of a state. The Constitution also authorizes the governor to determine the conditions of service of the chairman and members of the Commission. Hence statement 1 is not correct.
- Although the chairman and members of an SPSC are appointed by the governor, they can be removed only by the President (and not by the governor). The President can remove them on the same grounds and in the same manner as he can remove a chairman or a member of the UPSC. Hence statement 2 is not correct.

Q 45.C

- Both the Dhar commission and JVP committee rejected language as the basis for the reorganization of states. Fazl Ali's commission broadly accepted language as the criteria for the reorganization of states, however, it rejected one- language - state policy.
- Hence option (c) is the correct answer.

Q 46.B

- The Protection of Human Rights Act of 1993 provides for the creation of the National Human Rights Commission and State Human Rights Commission at the state level.
- A State Human Rights Commission can inquire into violation of human rights only in respect of subjects mentioned in the State List and the Concurrent List of the Constitution.
- However, if any such case is already being inquired into by the National Human Rights Commission or any other Statutory Commission, then the State Human Rights Commission does not inquire into that case.
- The chairperson and members of SHRC are appointed by the Governor. Whereas, in the case of NHRC, they are appointed by the President of India. Hence, statement 1 is not correct.
- Although the chairperson and members of an SHRC are appointed by the governor, they can be removed only by the President. Hence statement 2 is correct.

Q 47.A

- The Supreme Court has held that a religious denomination must satisfy three conditions:
- It should be a collection of individuals who have a system of beliefs (doctrines), which they regard as conducive to their spiritual well-being.
- It should have a common organization
- It should be designated by a distinctive name.
- Hence only options 1, 2, and 3 are correct.

Q 48.A

- Option 1 is one of the fundamental duties mentioned in Part IV-A of the Indian constitution.
- Option 2 is a part of Directive Principles of State Policy.
- Swaran Singh Committee recommended duty to pay taxes should be included in the fundamental duties but it was not accepted. Hence, option 3 is not a fundamental duty.
- Casting vote is also not included in the fundamental duties so option 4 is also not correct.
- Hence option (a) is the correct answer.

Q 49.D

- The doctrine of Basic structure of the Constitution was laid down by the Supreme Court in the case of Kesavananda Bharati v/s State of Kerala (1973). Based on various judgements of the Court, the following are some of the elements included in the Basic structure: Supremacy of the Constitution; Secular character of the Constitution; Sovereign, democratic and republic nature of polity; Separation of powers between the legislature, judiciary and executive; Unity and Integrity of the nation; Welfare state; Rule of Law; Parliamentary system; Effective access to justice; Principle of reasonableness etc
- Socialist state is not included in the Basic structure.

Q 50.A

- Pressure groups are organizations that attempt to influence government policies. But unlike political parties, pressure groups do not aim to directly control or share political power. These organizations are formed when people with common occupations, interests, aspirations, or opinions come together in order to achieve a common objective.
- We often hear the word people's movement to describe many forms of collective action: Narmada Bachao Andolan, Movement for Right to Information, Anti-liquor Movement, Women's Movement, Environmental Movement.

- Like an interest group, a movement also attempts to influence politics rather than directly take part in electoral competition. But unlike the interest groups, movements have a loose organization. Their decision-making is more informal and flexible. They depend much more on spontaneous mass participation than an interest group.

Q 52.B

- Statement 1 is not correct: the constitution derives its authority from the people of India not from the constituent assembly, this is mentioned in the preamble part of the constitution.
- Statement 2 is not correct - the American constitution was the first to begin with a Preamble. Many countries, including India, followed the practice.
- Statement 3 is correct: In the Keshavananda Bharti case, SC has held that preamble is a part of the Constitution. And if there is any lack of clarity in the constitution, the judiciary turns to the Preamble in its interpretation of the relevant provisions.

Q 53.C

- Article 359 authorises the President to suspend the right to move any court for the enforcement of Fundamental Rights during a National Emergency. This means that under Article 359, the Fundamental Rights as such are not suspended, but only their enforcement. The said rights are theoretically alive but the right to seek remedy is suspended. The suspension of enforcement relates to only those Fundamental Rights that are specified in the Presidential Order. Further, the suspension could be for the period during the operation of emergency or for a shorter period as mentioned in the order, and the suspension order may extend to the whole or any part of the country. It should be laid before each House of Parliament for approval. Hence, only option (c) is correct.
- The 44th Amendment Act of 1978 restricted the scope of Article 359 in two ways. Firstly, the President cannot suspend the right to move the Court for the enforcement of fundamental rights guaranteed by Articles 20 to 21. Secondly, only those laws which are related with the emergency are protected from being challenged and not other laws and the executive action taken only under such a law, is protected.
- Article 359 operates in case of both when National Emergency is declared on grounds of war or external

aggression as well as on the ground of armed rebellion.

- Article 359 may extend to the entire country or a part of it.

54.Explanation answer (a) Indian Councils Act, 1892 : Principle of Election

(b)councils but did not establish responsible government in British India.

(c) Government of India Act, 1919 ,The Act provided a dual form of government (a "diarchy") for the major provinces.

(d)The Act of 1935 abolished diarchy at the Provincial level and introduced it at the Centre.

Q 55.B

- Statement 1 is not correct. Martial law has not been defined anywhere in the Constitution. It is implicit. Also, there is no specific or express provision in the Constitution that authorizes the executive to declare Martial Law. However, Article 34 provides for the restrictions on fundamental rights while Martial Law is in force in any area.
- Statement 2 is correct. Both Martial Law and National Emergency can be imposed in some specific area. However, the scope of National emergency is much more. It can be imposed in the whole country as well.

Q 56.A

- Recently, the Supreme Court on Friday turned down the Union government's plea to do away with the requirement of collecting quantifiable data by the Centre and states to determine the representation of people belonging to Scheduled Castes (SCs) and Scheduled Tribes (STs) while implementing reservation in promotion.
- State is obligated to collect quantifiable data as per the court's judgment in M Nagaraj (2006) and Jarnail Singh (2018). Hence statement 1 is correct.
- In 2006, a Constitution bench's ruling in the M Nagaraj case made it incumbent upon the state to collect quantifiable data showing the inadequacy of representation of a section of people in public employment in addition to maintaining overall administrative efficiency.
- The aspect of quantifiable data was endorsed by another Constitution bench by its 2018 ruling in the

Jarnail Singh case which also mandated the exclusion of the "creamy layer" before providing for reservation in promotions.

- The collection of data has to be for each category of posts for the entire service.
- It added that assessment on the inadequacy of representation of the reserved categories in promotional posts should be left to the states. Hence statement 2 is not correct.

Q 57.B

- Statement 1 is correct. Indian Councils Act of 1861 empowered Viceroys to issue ordinances without the concurrence of the legislative council, during an emergency. The life of such an ordinance was 6 months.
- Statement 2 is correct. It made a beginning of representative institutions by associating Indians with the law-making process. It thus provided that the viceroy should nominate some Indians as non-official members of his expanded council. In 1862, Lord Canning, the then viceroy, nominated three Indians to his legislative council-the Raja of Benaras, the Maharaja of Patiala, and Sir Dinkar Rao.
- Statement 3 is not correct. The office was created under the provisions of the Act of 1858 (Act for Good Governance of India)

Q 58.A

- 'Territory of India' is a wider expression than the 'Union of India' because the latter includes only states while the former includes not only the states but also union territories and territories that may be acquired by the Government of India at any future time.

Q 59.C

- Statement 1 is not correct: In the parliamentary form of the government, there will not be a watertight separation of the powers. Here the executive will be part of the legislature.
- Statement 2 is correct: It is the most defining feature of the parliamentary form of the government, where executive is answerable to the legislature, unlike the presidential form of the government, where the executive is not answerable to the legislature.
- Statement 3 is not correct: Parliamentary form of government defines the governing mechanism of a state. Division of powers is nothing to do with the parliamentary form of government because division of powers is more to do with the decentralization

and autonomy to the states rather than way of defining the governing mechanism itself.

Q 62.b

Explanation statement (b) is correct

The Supreme Court has exclusive and original jurisdiction over disputes involving the law between states or between states and the Union under Article 131 of the Constitution.

Q 63.C

- The members from the princely states were nominated and members from that of British Provinces were elected indirectly from the Provincial Legislative Assemblies, but not directly by the people.

- Hence option (c) is the correct answer.

Q 64.C

- Statement 1 is correct. Indian constitution is a sacred document but not a static one. It allows changes if the demand is made by society. After independence, several amendments/provisions and laws were made as the needs of the society.

- Statement 2 is correct. Ever since the constitution came into being, the political class and the judiciary subjected it to multiple interpretations. Judicial pronouncements/judgments have led to the establishment of several doctrines which was not mentioned in the original constitution. Eg - Basic Structure Doctrine.

Q 65.C

- Statement 1 is not correct: It is concerned with the recruitment to the all-India services and Central services—group A and group B and advises the government, when consulted, on promotion and disciplinary matters. It is not concerned with the classification of services, pay and service conditions, cadre management, training, and so on which is managed by the Department of Personnel and Training of government of India.

- Statement 2 is not correct: The UPSC presents, annually, to the president a report on its performance. The President places this report before both the Houses of Parliament, along with a memorandum explaining the cases where the advice of the Commission was not accepted and the reasons for such nonacceptance.

- Statement 3 is correct: The additional functions relating to the services of the Union can be conferred on UPSC by the Parliament. It can also place the personnel system of any authority,

corporate body or public institution within the jurisdiction of the UPSC. Hence the jurisdiction of UPSC can be extended by an Act made by the Parliament.

Q 66.B

- The Preamble of the Constitution defines the Indian Republic as Sovereign, Socialist, Secular, and Democratic. Of these, Sovereign and Democratic were part of the Preamble adopted by the Constituent Assembly.

- Socialists and Secular were added to the Preamble by the 42nd Constitutional Amendment Act of 1976. Also, the word 'integrity' was added by the same act.

Q 67.C

- Statement 1 is not correct: The Constitution makes a provision for the establishment of a Joint State Public Service Commission (JSPSC) for two or more states. While the UPSC and the SPSC are created directly by the Constitution, a JSPSC can be created by an act of Parliament on the request of the state legislatures concerned.

- Statement 2 is correct: The chairman and members of a JSPSC are appointed by the president. They hold office for a term of six years or until they attain the age of 62 years, whichever is earlier.

- Statement 3 is not correct: A JSPSC presents its annual performance report to each of the concerned state governors. Each governor places the report before the state legislature.

Q 68.B

- In addition to the Attorney General, there are other law officers of the Government of India. They are the Solicitor General of India and additional Solicitor General of India. They assist the Attorney General in the fulfillment of his official responsibilities. It should be noted here that only the office of the Attorney General is created by the Constitution. In other words, Article 76 does not mention about the Solicitor General and additional Solicitor General.

Q 69.B

- It was in 1934 that the idea of a Constituent Assembly for India was put forward for the first time by M. N. Roy, a pioneer of communist movement in India and an advocate of radical democracy. In 1935, the Indian National Congress (INC), for the first time, officially demanded a Constituent Assembly to frame the Constitution of India. In 1938, Jawaharlal Nehru, on behalf the INC declared that 'the Constitution of free India must be framed, without

outside interference, by a Constituent Assembly elected on the basis of adult franchise’.

70. Answer(b)

The total number of Ministers, including the Prime Minister, in the Council of Ministers shall not exceed fifteen per cent. of the total number of members of the House of the People.

Q 71.D

- Both the statements are not correct.
- During an emergency, the Central Government becomes all-powerful and the states go into total control of the center. It converts the federal structure into a unitary one without a formal amendment of the Constitution. This kind of transformation of the political system from federal (during normal times) to unitary (during an emergency) is not borrowed from any Constitution of the world.
- The feature of suspension of Fundamental Rights during Emergency has been borrowed from the Weimar Constitution of Germany and hence, not a unique feature of the Indian Constitution.

Q 72.A

- Statement 1 is correct. Any bill contemplating the changes with regard to the reorganization of states can be introduced in the parliament only with the prior recommendation of the President.
- Statement 2 is not correct. Under article 3 of the Constitution, the parliament's power to diminish the areas of a state does not include the power to cede Indian territory to a foreign state. Indian territory can be ceded to a foreign state only by amending the Constitution under Article 368.
- Statement 3 is not correct. Any bill aiming to reorganize the states shall be passed in the parliament by a simple majority.

Q 73.C

- Statement 1 is correct: The Constitution (Article 165) has provided for the office of the Advocate General for the states. He is the highest law officer in the state. The advocate general is appointed by the governor.
- Statement 2 is not correct: Eligibility conditions for Advocate General does not include minimum age limits. He must be a person who is qualified to be appointed a judge of a high court. In other words, he must be a citizen of India and must have held a

judicial office for ten years or been an advocate of a high court for ten years.

- Statement 3 is correct: The remuneration of the Advocate General is not fixed by the Constitution. He receives such remuneration as the Governor may determine.

Q 74.A

- The writ of Habeas Corpus can be issued against private individuals as well as a public authority. While other writs like Mandamus, Prohibition, and Certiorari can be issued only against public authorities.
- Hence option (a) is the correct answer.

Q 75.A

- Article 33 empowers the Parliament to restrict or abrogate the fundamental rights of the members of armed forces, para-military forces, police forces, intelligence agencies, and analogous forces. The objective of this provision is to ensure the proper discharge of their duties and the maintenance of discipline among them. The power to make laws under Article 33 is conferred only on Parliament and not on state legislatures. Hence statement 1 is correct.
- Any such law made by Parliament cannot be challenged in any court on the ground of contravention of any of the fundamental rights. Hence statement 2 is correct. Accordingly, the Parliament has enacted the Army Act (1950), the Navy Act (1950), the Air Force Act (1950), the Police Forces (Restriction of Rights) Act, 1966, the Border Security Force Act and so on. These impose restrictions on their freedom of speech, right to form associations, right to be members of trade unions or political associations, right to communicate with the press, right to attend public meetings or demonstrations, etc.
- The expression ‘members of the armed forces’ also covers such employees of the armed forces as barbers, carpenters, mechanics, cooks, chowkidars, bootmakers, tailors who are non-combatants. Hence statement 3 is not correct.

Q 76.A

- The Constitution of India (Article 148) provides for an independent office of the Comptroller and Auditor General of India (CAG). He is the head of the Indian Audit and Accounts Department. He is the guardian of the public purse and controls the entire financial system of the country at both the levels—

the Centre and the state. Hence, statement 1 is correct.

- He holds office for a period of six years or upto the age of 65 years, whichever is earlier. Hence, statement 2 is not correct.
- No minister can represent the CAG in Parliament (both Houses) and no minister can be called upon to take any responsibility for any actions done by him. Hence, statement 3 is not correct.

Q 78.D

- “There shall be a Council of Ministers with the Prime Minister at the head to aid and advice the President who shall act in accordance with such advice”, was added as Art 74(1) by the 42nd Constitutional Amendment Act.
- The minimum age for voting was reduced to 18 years by the 61st Constitutional Amendment Act.
- “The State can make special provisions for the advancement of socially and educationally backward classes and citizens of Scheduled castes and Scheduled tribes”, was added as Art 15(4) by the First Constitutional Amendment Act.
- Hence, all of the above provisions were added through Constitutional Amendments.

Q 79. (a) 1 only

- **Statement 1** is correct: Article 30 provides religious and linguistic minorities the right to establish and administer educational institutions of their choice.
- **Statement 2** is incorrect: The right under Article 30 is available to citizens only, not to non-citizens.
- **Statement 3** is incorrect: The establishment of a National Commission for Minority Educational Institutions is not mentioned in Article 30 itself but comes under a separate law.

Q 83.D

- A number of provisions in the Constitution can be amended by a simple majority of the two Houses of Parliament outside the scope of Article 368. These provisions include abolition or creation of legislative councils in states, Citizenship—acquisition and termination etc.
- The majority of the provisions in the Constitution need to be amended by a special majority of the Parliament, that is, a majority (that is, more than 50 per cent) of the total membership of each House and

a majority of two-thirds of the members of each House present and voting. The expression ‘total membership’ means the total number of members comprising the House irrespective of fact whether there are vacancies or absentees. The provisions which can be amended by this way includes: (i) Fundamental Rights; (ii) Directive Principles of State Policy

Q 84.D

- Statement 1 is correct. Attorney General is the highest law officer in the country. The Attorney General (AG) is appointed by the President. He must be a person who is qualified to be appointed a judge of the Supreme Court.
- Statement 2 is not correct. The remuneration of the AG is not fixed by the Constitution. He receives such remuneration as the President may determine.
- Statement 3 is correct. He has the right to speak and to take part in the proceedings of both the Houses of Parliament or their joint sitting and any committee of the Parliament of which he may be named a member but without a right to vote.

Q 85.A

- Article 19(2) provides that reasonable restrictions can be imposed on exercise of Freedom of Speech and expression under the following conditions: the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court, defamation or incitement to an offence.

Q 86.B

- Statement 1 is not correct as it is a part of the Socialist principles but not Gandhian principles.
- Statement 2 is not correct as it is also a part of Socialist principles.
- Statement 3 is correct as Gandhiji had always advocated the self-governance model through village Panchayats.

Q 87.A

- Article 22 grants protection to persons who are arrested or detained. Detention is of two types, namely, punitive and preventive. Punitive detention is to punish a person for an offence committed by him after trial and conviction in a court. Preventive detention, on the other hand, means detention of a person without trial and conviction by a court. Its purpose is not to punish a person for a past offence

but to prevent him from committing an offence in the near future.

- Article 22 has two parts—the first part deals with the cases of ordinary law and the second part deals with the cases of preventive detention law.
- The second part of Article 22 grants protection to persons who are arrested or detained under a preventive detention law. This protection is available to both citizens as well as aliens.
- A person has the right to be released after 24 hours (unless the magistrate authorises further detention)

only if he is arrested under ordinary law. It is not applicable in case of preventive detention law. Hence, only statement 3 is correct.

Q 88.B

- Statement 1 is not correct: A proclamation of President's Rule may be revoked by the President at any time by a subsequent proclamation. Such a proclamation does not require the parliamentary approval.
- Statement 2 is correct: The 44th Amendment Act of 1978 introduced a new provision to put restraint on the power of Parliament to extend a proclamation of President's Rule beyond one year. Thus, it provided that, beyond one year, the President's Rule can be extended by six months at a time only when the following two conditions are fulfilled: 1. a proclamation of National Emergency should be in operation in the whole of India, or in the whole or any part of the state; and 2. the Election Commission must certify that the general elections to the legislative assembly of the concerned state cannot be held on account of difficulties.

Q 89.A

- By the Indian Independence Act of 1947, the Assembly was made a fully sovereign body, which could frame any constitution it pleased. The act empowered the Assembly to abrogate or alter any law made by the British Parliament in relation to India.
- The representatives of the princely states, who had stayed away from the constituent Assembly, gradually joined in.

Q 90.D

- Option (a) is correct. This act divided the Provincial subjects into two parts- transferred and reserved. Transferred subjects were to be administered by the

governor with the help of ministers while the reserved list was to be administered by a governor and his executive council. This was termed a dual system of governance or Diarchy.

- Option (b) is correct. It replaced Indian Legislative Council with a Bicameral legislature consisting of two houses. The elections to both the houses were largely by direct elections.
- Option (c) is correct. It separated, for the first time, provincial budgets from the Central budget and authorized the provincial legislatures to enact their budgets.
- Option (d) is not correct. The separate electorate for Muslims was introduced in the act of 1909 itself. This provision was extended to Sikhs, Indian Christians, Anglo Indians, and Europeans.

91. (b) 1 and 3 only

Motion of Thanks is a unique feature of the Parliament of India:

This is **incorrect**. The Motion of Thanks is not unique to the Indian Parliament; it is a feature in other parliamentary systems based on the Westminster model, such as the UK.

Q 92.D

- Statement 1 is not correct: Though the Indian Constitution is federal and envisages a dual polity (Centre and states), it provides for only a single citizenship, that is, the Indian citizenship (like in Canada). The citizens in India owe allegiance only to the Union. There is no separate state citizenship. The other federal states like USA and Switzerland, on the other hand, adopted the system of double citizenship.

- Statement 2 is not correct: In India both a citizen by birth as well as a naturalised citizen are eligible for the office of President while in USA, only a citizen by birth and not a naturalised citizen is eligible for the office of President.

Q 94.D

- Statement 1 is not correct: This limitation is imposed only on criminal laws and not on civil laws or tax laws. In other words, civil liability or a tax can be imposed retrospectively.
- Statement 2 is not correct: Protection against self-incrimination does not extend to (i) compulsory production of material objects, (ii) compulsion to give thumb impression, specimen signature, blood specimens, and (iii) compulsory exhibition of the body.
- Statement 3 is not correct: Protection against double jeopardy is available only in proceedings

before a court of law or a judicial tribunal. In other words, it is not available in proceedings before departmental or administrative authorities as they are not of judicial nature.

Q 95.A

- Constitutionalism is all about limited government. It means that powers given to the government are not unlimited but they are limited. Fundamental rights act as limitations on the government powers like state must respect citizens' right to express, speech, liberty. If the government did not respect these rights then the aggrieved citizen can approach the judiciary for their enforcement. In this context, they can act as constraints.
- But Directive Principles of state policy cannot act as constraints/limitations on the government because they are not enforceable and they are fundamental to the governance of a country.
- Fundamental duties are in fact constraints/limitations on the part of citizens not on the government. Hence fundamental duties do not limit the working of the government.

Q 96.B

- Articles 358 and 359 describe the effect of a National Emergency on Fundamental Rights. Article 358 deals with the suspension of the Fundamental Rights guaranteed by Article 19, while Article 359 deals with the suspension of other Fundamental Rights (except those guaranteed by Articles 20 and 21).
- According to Article 358, when a proclamation of national emergency is made, the six Fundamental Rights under Article 19 are automatically suspended. No separate order for their suspension is required.
- The 44th Amendment Act of 1978 restricted the scope of Article 358 in two ways.
 - Firstly, the six Fundamental Rights under Article 19 can be suspended only when the National Emergency is declared on the ground of war or external aggression and not on the ground of armed rebellion. Hence statement 1 is not correct.
 - Secondly, only those laws which are related to the Emergency are protected from being challenged and not other laws. Also, the executive action taken only under such a law is protected.
- Article 359 authorizes the president to suspend the right to move any court for the enforcement of

Fundamental Rights during a National Emergency. (Hence statement 2 is correct). This means that under Article 359, the Fundamental Rights as such are not suspended, but only their enforcement. The said rights are theoretically alive but the right to seek remedy is suspended. The suspension of enforcement relates to only those Fundamental Rights that are specified in the Presidential Order. Further, the suspension could be for the period during the operation of emergency or for a shorter period as mentioned in the order, and the suspension order may extend to the whole or any part of the country. It should be laid before each House of Parliament for approval.

- The 44th Amendment Act of 1978 restricted the scope of Article 359 in two ways.
 - o Firstly, the President cannot suspend the right to move the Court for the enforcement of fundamental rights guaranteed by Articles 20 to 21. In other words, the right to protection in respect of conviction for offenses (Article 20) and the right to life and personal liberty (Article 21) remain enforceable even during an emergency. Hence statement 3 is not correct.

Q 97.A

- Originally, the Constitution of India did not make any provision with respect to the Special Officer for Linguistic Minorities. Later, the States Reorganisation Commission (1953-55) made a recommendation in this regard. Accordingly, the Seventh Constitutional Amendment Act of 1956 inserted a new Article 350-B in Part XVII of the Constitution. Hence, statement 1 is correct. This article contains the following provisions:
 - There should be a Special Officer for Linguistic Minorities. He is to be appointed by the President of India.
 - It would be the duty of the Special Officer to investigate all matters only relating to the safeguards provided for linguistic minorities under the Constitution.
- He would report to the President upon those matters at such intervals as the President may direct. The President should place all such reports before each House of Parliament and send to the governments of the states concerned. Hence, statement 2 is not correct.

Q 98.D

- The government has made many policies and laws to implement the DPSP's.

- Option 1 is correct as article 41 talks about securing the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement.
- Option 2 is correct: as it is aimed to implement Article 50 which explicitly calls for the separation of judiciary and the executive. The Criminal Procedure Code (1973) separated the judiciary from the executive in the public services of the state. Thus, the judicial powers vested with the district authorities like Collectors, Tehsildars etc was taken away.
- Option 3 is correct: as it is aimed to implement Article 48 under the DPSP's which calls for the modernization of Agriculture and Animal Husbandry.
- Option 4 is correct: as it is aimed to provide living wages and work opportunities. Article 41 calls for providing Right to work while Article 43 calls for provision of living wages to all workers.

99. (a) 1 only

- **Statement 1 is correct: Financial bills deal with fiscal matters.**
- **Statement 2 is incorrect:** All money bills are financial bills, but not all financial bills are money bills.
- **Statement 3 is incorrect:** A certification from the Speaker is required when a money bill is transmitted to **Rajya Sabha**, not Lok Sabha.

100.(d) 1, 2 and 4 only

Guaranteed under the **Preamble** of the Indian Constitution, which promotes equality of status and opportunity.

1. **Equality of opportunities:**

Guaranteed under **Article 16** of the Indian Constitution, which ensures equality of opportunity in matters of public employment.

2. **Equality of outcomes:**

The Indian Constitution does not guarantee equality of outcomes, as outcomes are influenced by various factors beyond constitutional provisions.

3. **Equality before law:**

Guaranteed under **Article 14**, which provides for equality before the law and equal protection of the laws.