

1. Consider the following statements:

1. As per Articles 72 and 161 of the Indian Constitution, the President and Governors are empowered to grant mercy petitions.
2. A mercy petition can be filed by a convict sentenced to death or their heirs/relatives only after exhausting all legal remedies.

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

EXPLANATION:

A mercy petition is a formal request made by a convict, especially those sentenced to death or long-term imprisonment, seeking clemency from the President or Governor. It serves as a last resort for leniency based on humanitarian or legal considerations.

This mechanism exists in several countries, including India, the United States, the United Kingdom, and Canada.

Constitutional Provisions in India:

- **Article 72:** Empowers the President to grant pardons, reprieves, respites, remissions of punishment, or commute sentences in cases where:
 - The punishment is awarded by a Court Martial.
 - The offence falls under laws where the Union Government has executive power.
 - The sentence is the death penalty.
- **Article 161:** The Governor of a State shall have the power to grant pardons, reprieves, respites or remissions of punishment or to suspend, remit or commute the sentence of any person convicted of any offence against any law relating to a matter to which the executive power of the State extends.

According to the Supreme Court judgment in 2021 clarified that Governors can pardon prisoners, including those sentenced to death, even before they have served 14 years. **So, Statement 1 is correct.**

Although there is no explicit statutory procedure governing mercy petitions, the process followed in practice is:

- **Filing of the Petition:** After exhausting all legal remedies (trial court, High Court, Supreme Court review, and curative petitions), a convict or their family members can submit a written mercy petition to the President or the Governor. **So, Statement 2 is correct.**
- **Presidential Secretariat Review:** The petition is received by the President's Secretariat, which then forwards it to the Ministry of Home Affairs (MHA).
- **Ministry of Home Affairs Recommendation:** The MHA examines the petition, seeks input from relevant authorities (such as the state government and law enforcement agencies), and makes recommendations.
- **Final Decision:** The President or Governor, after considering the MHA's recommendations, makes the final decision, which is binding.

ADDITIONAL INFORMATION:

BHARATIYA NAGARIK SURAKSHA SANHITA	
About	The Bharatiya Nagarik Suraksha Sanhita (BNSS) 2023, proposed as a replacement for the Criminal Procedure Code (CrPC), introduces new rules regarding mercy petitions in death sentence cases. These provisions alter existing procedures and impact the rights of convicts, particularly regarding timelines, judicial review, and executive discretion.
Key Provisions	➤ Advice of Council of Ministers: The President is not required to act according to the advice of the Council of Ministers in death penalty cases.

under BNSS 2023:	➤ Time frame to file petition: Convict, legal heir, or relative can file a mercy petition within 30 days of the Supreme Court dismissal of appeal or High Court confirmation of the death sentence. ➤ Duties of Jail Superintendent: • Inform convicts about appeal dismissal, confirmation of death sentence, or expiry of appeal time. • Ensure that every convict submits a mercy petition within 60 days. ➤ Processing of petitions: • Petition may be presented to the State or Central Home Department • If the Governor rejects or disposes of the petition, it is forwarded to the President within 60 days. ➤ Role of the Centre: Reviews the petition along with state comments and case records, and recommends to the President within 60 days. ➤ Time limit for President: No time frame is prescribed for the President to dispose of mercy petitions. ➤ Finality of decision: President's order is final, and no appeal is allowed against it.
Conflict with Existing Legal Precedent	➤ Judicial Review: In <i>Epuru Sudhakar & Another vs Andhra Pradesh</i> (2005), the Supreme Court held that decisions under Articles 72 and 161 are subject to judicial review if passed arbitrarily or mala fide. ➤ Article 21 – Right to Life: In <i>Shatrughan Chauhan vs Union of India</i> (2014), the SC emphasized that prisoners retain rights until execution, including a minimum 14-day notice after mercy petition rejection. ➤ Delay and fairness: Courts can commute death sentences due to undue delays or executive inaction, but BNSS does not prescribe a timeline for presidential decisions, potentially undermining these protections.
PARDONING POWERS OF PRESIDENT AND GOVERNOR	
President	Governor
He can pardon, reprieve, respite, remit, suspend or commute the punishment or sentence of any person convicted of any offence against a Central law.	He can pardon, reprieve, respite, remit, suspend or commute the punishment or sentence of convicted of any any person offence against a state law.
He can pardon, reprieve, respite, remit, suspend or commute a death sentence. He is the only authority to pardon a death sentence.	He cannot pardon a death sentence. Even if a state law prescribes for death sentence, the power to grant pardon lies with the President and not the governor. But, the governor can suspend, remit or commute a death sentence
He can grant pardon, reprieve, respite, suspension, remission or commutation in respect to punishment or sentence by a court-martial (military Court).	He does not possess any such power.

2. Which of the following cabinet committees is the most powerful and often described as Super-Cabinet?
- Economic Affairs Committee
 - Appointments Committee
 - Political Affairs Committee**
 - Parliamentary Affairs Committee

EXPLANATION:

A Cabinet is a small and powerful group of senior ministers in the government who make the most important decisions on national policies and administration. The Cabinet works through various committees, known as Cabinet Committees. Cabinet Committees are extra-constitutional in origin—meaning, they are not mentioned in the Constitution.

At present, eight Cabinet Committees are functioning in the Government of India. Among them, the following four are the most important:

- **Political Affairs Committee** – Deals with major policy matters relating to domestic and foreign affairs.
- **Economic Affairs Committee** – Directs and coordinates government activities in the economic sphere
- **Appointments Committee** – Decides all higher-level appointments in the Central Secretariat, Public Sector Enterprises, Banks, and Financial Institutions.
- **Parliamentary Affairs Committee** – Oversees the progress of government business in Parliament. The Prime Minister chairs the first three committees, while the Home Minister chairs the Parliamentary Affairs Committee.

Of all the Cabinet Committees, the Political Affairs Committee is considered the most powerful and is often described as a “Super-Cabinet.” **So, Option (c) is correct.**

ADDITIONAL INFORMATION:

CABINET COMMITTEES - TYPES & FEATURES	
Types	Cabinet Committees are of two types — Standing and Ad hoc: • Standing Committees are permanent in nature. • Ad hoc Committees are temporary and are created from time to time to deal with specific issues. They are dissolved once their assigned task is completed.
Features of cabinet committee	➤ They are set up by the Prime Minister, based on the needs of the time. Therefore, their number, names, and composition can vary ➤ Their membership usually ranges from three to eight members ➤ They typically include Cabinet Ministers, although non-cabinet ministers may also be included. ➤ Members often include the ministers directly connected to the subjects handled by the committee, along with other senior ministers. ➤ Most committees are headed by the Prime Minister. Sometimes, senior ministers like the Home Minister or Finance Minister may chair them. ➤ However, if the Prime Minister is a member of a committee, he invariably presides over it. ➤ Cabinet Committees sort out issues, formulate proposals, and may even take decisions, although their decisions are subject to review by the Cabinet. ➤ They serve as an organisational mechanism to reduce the workload of the Cabinet, enable detailed examination of policy issues, ensure better coordination, and operate on the principles of division of labour and delegation of authority.

3. In the S.R. Bommai Case (1994), the Supreme Court declared how many of the following to be the elements of the Basic structure of the Constitution?

1. Secularism
2. Social justice
3. Judicial review
4. Principle of equality

Select the correct answer using the codes given below:

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

EXPLANATION:

The Parliament under Article 368 can amend any part of the Constitution, including the Fundamental Rights, but without affecting the 'basic structure' of the Constitution. However, the Supreme Court has yet to define or clarify in the Constitution what constitutes the 'basic structure' of the Constitution. In S.R. Bommai Case, the Supreme Court declared the following as the elements of the Basic structure of the Constitution.

- Federalism
- Secularism
- Democracy
- Unity and Integrity of the Nation
- Social Justice
- Judicial Review. **So, Statements 1, 2, and 3 are correct.**

The principle of equality is explicitly declared as an element of the Basic Structure of the Constitution in the following cases:

- Raghunath Rao Case (1993)
- Indra Sawhney II Case (2000)
- M. Nagaraj Case (2006)
- I.R. Coelho Case (2007) (popularly known as IX Schedule Case).

Thus, the principle of equality is not explicitly declared in S.R. Bommai Case (1994). **So, Statement 4 is not correct.**

ADDITIONAL INFORMATION:

EVOLUTION OF THE BASIC STRUCTURE OF THE CONSTITUTION	
Kesavananda Bharati case (1973)	Kesavananda Bharati case (1973) (popularly known as the Fundamental Rights Case), the Supreme Court declared the following as the elements of the Basic structure of the Constitution. ➤ Supremacy of the Constitution ➤ Separation of powers between the legislature, the executive and the judiciary ➤ Republic and democratic form of government ➤ Secular character of the Constitution ➤ Federal character of the Constitution ➤ Sovereignty and unity of India ➤ Freedom and dignity of the individual ➤ Mandate to build a welfare state ➤ Parliamentary System
Indira Nehru Gandhi case	Indira Nehru Gandhi case (1975) (popularly known as the Election Case), the Supreme Court declared the following as the elements of the Basic structure of the Constitution. ➤ India as a sovereign democratic republic ➤ Equality of status and opportunity of an individual ➤ Secularism and freedom of conscience and religion ➤ Government of laws and not of men (i.e., Rule of Law) ➤ Judicial review ➤ Free and fair elections which is implied in democracy
Minerva Mills case (1980)	➤ The limited power of Parliament to amend the Constitution ➤ Judicial review ➤ Harmony and balance between fundamental rights and directive principles
Indra Sawhney Case (1992)	Indra Sawhney Case (1992) (popularly known as the Mandal Case) ➤ Rule of law.

4. With respect to the interstate water dispute, consider the following:
1. Article 262 of the Indian constitution prohibits any interstate water sharing disputes from being settled in the Supreme Court.
 2. The regulation and development of interstate rivers fall under the Union List in the Seventh Schedule of the Constitution of India.
 3. The Tribunal's decision under the interstate water dispute, 1956 Act, is final and binding on the States.

How many of the above statements is/are correct?

- (a) Only one
(b) **Only two**
(c) All three
(d) None

EXPLANATION:

Article 262 deals with the adjudication of disputes relating to the waters of inter-State rivers or river valleys.

- Clause (1): Parliament may, by law, provide for the adjudication of any dispute or complaint regarding the use, distribution, or control of the waters of, or in, any inter-State river or river valley.
- Clause (2): Notwithstanding anything in the Constitution, Parliament may, by law, provide that neither the Supreme Court nor any other court shall exercise jurisdiction over any such dispute or complaint referred to under clause (1).

Thus, not all water-sharing disputes are barred from the Supreme Court—only those referred to the adjudication mechanism established under a parliamentary law, such as the Inter-State River Water Disputes (ISRWD) Act, 1956, are exempt.

Any dispute not referred to the tribunal may still be addressed by the Supreme Court under its original jurisdiction, under Article 21 (right to life), or via a Special Leave Petition (SLP). **So, Statement 1 is not correct.**

The Constitution specifies the distribution of powers and responsibilities between the state and central governments.

The Seventh Schedule is the most important part of the Constitution in this regard. It specifies the role and responsibilities into three lists: Union List, State List and Concurrent List.

- Entry 56 of List I—Union List of Seventh Schedule provides that "Regulation and development of inter-State rivers and river valleys to the extent to which such regulation and development under the control of the Union is declared by Parliament by law to be expedient in the public interest".
- So, Statement 2 is correct.**

The Inter-State River Water Disputes Act, 1956, is an Act to provide for the adjudication of disputes relating to waters of inter-State rivers and river valleys.

- The Central Government shall publish the decision of the Tribunal in the Official Gazette, and the decision shall be final and binding on the parties to the dispute and shall be given effect by them.
- The decision of the Tribunal, after its publication in the Official Gazette by the Central Government, shall have the same force as an order or decree of the Supreme Court. **So, Statement 3 is correct.**

5. Consider the following statements regarding the Anti-Defection Law:

1. The presiding officer can consider a defection case only upon receiving a member's complaint.
2. The decision of the presiding officer is final and cannot be questioned in any court.

Which of the statements given above is/are correct?

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

EXPLANATION:

The 52nd Amendment Act of 1985 provided for the disqualification of members of Parliament and the state legislatures on the grounds of defection from one political party to another.

For this purpose, it made changes in four Articles of the Constitution and added a new Schedule (the Tenth Schedule) to the Constitution. This act is often referred to as the 'anti-defection law'.

According to it, the presiding officer of a House is empowered to make rules to give effect to the provisions of the Tenth Schedule. All such rules must be placed before the House for 30 days.

- According to the rules made so, the presiding officer can take up a defection case only when he receives a complaint from a member of the House. **So, Statement 1 is correct.**
- Before taking the final decision, he must give the member (against whom the complaint has been made) a chance to submit his explanation.
- He may also refer the matter to the committee of privileges for inquiry. Hence, defection has no immediate and automatic effect.

Any question regarding disqualification arising out of defection is to be decided by the presiding officer of the House.

- Originally, the act provided that the decision of the presiding officer is final and cannot be questioned in any court.
- However, in the Kihoto Hollohan case (1993), the Supreme Court declared this provision as unconstitutional on the ground that it seeks to take away the jurisdiction of the Supreme Court and the high courts.
- The Court held that the presiding officer, while deciding a question under the Tenth Schedule, functions as a tribunal.
- Hence, his decision, like that of any other tribunal, is subject to judicial review on the grounds of mala fides, perversity, etc. Therefore, the decision of the presiding officer is not final and is subject to judicial review. **So, Statement 2 is not correct.**

ADDITIONAL INFORMATION:

ANTI-DEFECTION LAW	
Disqualification	Under the Anti-Defection Law (Tenth Schedule of the Constitution), members of the legislature may be disqualified from the House if they act against the political mandate under which they were elected. The law lays down separate rules for members belonging to political parties, independent members, and nominated members. Members of Political Parties: ➤ A member of the House belonging to a political party is disqualified if: • He voluntarily gives up membership of that political party; or • He votes or abstains from voting in the House against the party's direction without prior permission, and the party does not condone the act within 15 days. ➤ This means that a member elected on a party ticket must remain in the party and follow its directions. Independent Members: ➤ An independent member (elected without the support of any political party) becomes disqualified if he joins a political party after the election. Nominated Members: ➤ A nominated member becomes disqualified if he joins a political party after six months from the date he takes his seat. ➤ He may join any political party within the first six months without attracting disqualification.

Exceptions	The disqualification on the ground of defection does not apply in the following cases: ➤ Merger of Political Parties: If a member leaves the party because the original party has merged with another party. A merger is considered valid only when two-thirds of the members of the legislature party agree to it. ➤ Presiding Officer's Exemption: If a member is elected as the Speaker/Chairman of the House and voluntarily gives up the membership of their party, or later rejoins it after leaving office. This exemption exists to preserve the neutrality and dignity of the presiding officer. ➤ No Protection for Splits: The earlier provision that allowed exemption in case of a split by one-third of the members has been removed by the 91st Constitutional Amendment Act, 2003. Therefore, splits are no longer a valid defence against disqualification.
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6. With reference to the whip system in the Indian Parliament, consider the following statements:
1. The whip system is provided under the Tenth Schedule of the Constitution.
 2. While a one-line whip only informs members about a vote, a three-line whip obliges them to attend and vote in accordance with the party's direction.
 3. The whip system is applicable in the election of the Vice President of India.
- How many of the statements given above is/are correct?

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

EXPLANATION:

The whip system is a key feature of parliamentary democracies, helping maintain party discipline and unified decision-making.

- It is a parliamentary convention, not a constitutional or statutory provision.
- The office of the "whip" is not mentioned in the Constitution of India, the Rules of the House, or any Parliamentary statute.
- The 52nd Constitutional Amendment (1985) introduced the Anti-Defection Law through the Tenth Schedule, which strengthened the whip system by making it mandatory for members to follow the party's whip.
- Defying a whip can lead to disqualification from the legislature. **So, Statement 1 is not correct.**

The whip is essentially the link between the party leadership and its MPs. The party's chief whip communicates instructions to members, ensures their attendance during important votes, and often guides who should speak on different issues. The following are the three kinds of whips:

- **One-line whip:** Informs members about a vote but allows them to abstain.
- **Two-line whip:** Instructs members to be present in the House but does not mandate how they should vote.
- **Three-line whip:** the most stringent and commonly used, directs members to be present and vote strictly along party lines. A formal three-line whip notice contains three thick horizontal lines under each instruction.

If a member violates a three-line whip, which is the strictest of directions by a party, the leader of the party can recommend his or her disqualification to the Presiding Officer of the House. "As per the Anti-Defection Law, disqualification can happen for violation of a three-line whip. **So, Statement 2 is correct.**

The whip system does not apply to the election of the President or Vice President of India. Members of the Electoral College are free to vote according to their own choice and are not bound by any party directive. These elections are conducted through a secret ballot, ensuring confidentiality.

In the case of the Vice-Presidential election, Article 66 of the Constitution and the Representation of the People Act, 1956, provide for this secret ballot system, allowing MPs to vote independently of party lines. **So, Statement 3 is not correct.**

ADDITIONAL INFORMATION:

WHIP IN THE INDIAN PARLIAMENT	
Recently in news	The Bharatiya Janata Party issued a three-line whip to all of its Lok Sabha MPs, asking them to be present in the House for the passing of the Union Budget 2025-26.
About	A whip is an official appointed by each political party to ensure that MPs and MLAs attend voting sessions and vote according to the party's stance on the matter. ➤ They issue written instructions, called whips, requiring legislators to be present and to vote in a specific way. ➤ The concept originated during colonial British rule and was carried into India's current parliamentary system. ➤ The term comes from the British hunting expression "whipping in", referring to keeping the hounds from straying during a hunt. In India, whips play a crucial role in floor coordination, especially on contentious Bills.
Violation of whip	➤ The whip system has existed since the beginning of India's parliamentary government. ➤ Parties expect their members to be present and vote in line with the party stance during crucial divisions, as defiance can embarrass the party or even affect the ruling party's ability to prove its majority. ➤ If a member violates a whip's directive, the party whip may recommend the member's disqualification for indiscipline under the Anti-Defection Law. ➤ The Speaker of the House decides on such cases, and there is no fixed time limit for the decision. ➤ If the whip chooses not to act, any other member of the House may bring the violation to the Speaker's notice.
Whip system in other democracies	United Kingdom (UK) ➤ The UK has a strong whip system to maintain party discipline. Whips ensure MPs attend sessions and understand the party's position on issues. ➤ The system uses three levels of instructions: one-line, two-line, and three-line whips. ➤ Defying a three-line whip can lead to expulsion from the party. ➤ However, unlike India, British MPs do not face legal penalties for violating a whip. United States (US): ➤ The US follows a much looser party discipline system than India or the UK. ➤ Members of Congress typically vote according to their constituency's interests and personal judgement. ➤ There is no law similar to India's Anti-Defection Law. ➤ Lawmakers who vote against the party face no legal or formal punishment. ➤ Party leaders often negotiate with members to secure support, and cross-voting is common. Australia: ➤ Australia has a strong party system, and whips help maintain unity.

	➤ Members who disobey a whip may face party expulsion or be removed from future candidate lists. ➤ However, there is no legal disqualification for voting against the party. ➤ Party leadership typically exercises strong control, resulting in very few defections. Germany: ➤ In Germany, parliamentary groups are known as “fractions”. ➤ They maintain party discipline mainly through internal party rules, not formal parliamentary whips. ➤ Party leaders build consensus and agreements, and members usually vote with the party. ➤ On some issues, members are allowed freedom of conscience and may vote independently.
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7. Consider the following information:

Sl.no.	Provision	Procedure for amending the provision
1.	Fifth Schedule—administration of scheduled areas and scheduled tribes	By a simple majority of parliament
2.	Fundamental Rights	By special majority of parliament and consent of states
3.	Election of the President and its manner	By a special majority of parliament
4.	Delimitation of constituencies	By a simple majority of parliament

Which of the above rows are correctly matched?

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

EXPLANATION:

A simple majority is the majority of more than 50% of the members present and voting. 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. Some of these provisions include:

- Fifth Schedule—administration of scheduled areas and scheduled tribes.
- Sixth Schedule—administration of tribal areas.
- Delimitation of constituencies. **So, Statements 1 and 4 are correct.**

A special majority is the majority 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 whether there are vacancies or absentees. The provisions which can be amended in this way include: (i) Fundamental Rights; (ii) Directive Principles of State Policy. **So, Statement 2 is not correct.**

A special majority of Parliament, along with the consent of at least half of the states, by a simple majority, is required to amend those provisions of the Constitution that relate to the federal structure. These federal provisions cannot be amended by Parliament alone, even with a special majority. The following provisions can be amended in this way:

- Election of the President and its manner.
- Extent of the executive power of the Union and the states.
- Supreme Court and high courts, etc. **So, Statement 3 is not correct.**

ADDITIONAL INFORMATION:

AMENDMENT OF THE CONSTITUTION	
About	Article 368 in Part XX of the Constitution deals with the powers of Parliament to amend the Constitution and its procedure. It states that the Parliament may, in exercise of its constituent power, amend by way of addition, variation or repeal any provision of the Constitution in accordance with the procedure laid down for the purpose. However, the Parliament cannot amend those provisions which form the 'basic structure' of the Constitution. This was ruled by the Supreme Court in the Kesavananda Bharati case (1973).
Types of amendments	Article 368 provides for two types of amendments, that is, by a special majority of Parliament and also through the ratification of half of the states by a simple majority. But, some other articles provide for the amendment of certain provisions of the Constitution by a simple majority of Parliament, that is, a majority of the members of each House present and voting (similar to the ordinary legislative process). Notably, these amendments are not deemed to be amendments of the Constitution for the purposes of Article 368. Therefore, the Constitution can be amended in three ways: ➤ Amendment by a simple majority of the Parliament, ➤ Amendment by a special majority of the Parliament, and ➤ Amendment by a special majority of the Parliament and the ratification of half of the state legislatures.
Procedure for amendment	The procedure for the amendment of the Constitution, as laid down in Article 368, is as follows: ➤ An amendment of the Constitution can be initiated only by the introduction of a bill for the purpose in either House of Parliament and not in the state legislatures. ➤ The bill can be introduced either by a minister or by a private member and does not require prior permission of the president. ➤ The bill must be passed in each House by a special majority, that is, a majority of the total membership of the House and a majority of two-thirds of the members of the House present and voting. ➤ Each House must pass the bill separately. In case of a disagreement between the two Houses, there is no provision for holding a joint sitting of the two Houses for the purpose of deliberation and passage of the bill. ➤ If the bill seeks to amend the federal provisions of the Constitution, it must also be ratified by the legislatures of half of the states by a simple majority, that is, a majority of the members of the House present and voting. ➤ After being duly passed by both the Houses of Parliament and ratified by the state legislatures, where necessary, the bill is presented to the president for assent. ➤ The president must give his assent to the bill. He can neither withhold his assent to the bill nor return the bill for reconsideration of the Parliament. ➤ After the president's assent, the bill becomes an Act (i.e., a constitutional amendment act) and the Constitution stands amended in accordance with the terms of the Act.

8. Recently, the Supreme Court of India laid down time-bound guidelines for Governors under Article 200 to act upon a Bill. With respect to this consider the following statements:
1. A Governor, acting on the aid and advice of the Council of Ministers, is expected to decide on Bills within a period of one month.
 2. Governors may, in case of reservations, withhold their assent to a Bill for an indefinite period.
 3. If the Bill is re-passed by the State Legislature, the Governor must grant assent within one month.
- Which of the statements given above is/are correct?

(a) 1 and 3 only

(b) 2 only

(c) 1 only

(d) 1, 2 and 3

EXPLANATION:

Recently, the Supreme Court of India delivered its judgment in *State of Tamil Nadu v. Governor of Tamil Nadu*, clarifying the constitutional limits of the Governor's role under Articles 200 and 201 of the Constitution.

According to the Supreme Court bench, under Article 200, the Governor has no discretion and must act strictly on the aid and advice of the Council of Ministers.

The timelines prescribed for Governors when Bills are presented to them are:

- When the Governor acts on the aid and advice of the Council of Ministers, the decision to grant assent, withhold assent, or reserve the Bill should ordinarily be made within one month.
- If the Governor chooses to act contrary to such advice and exercises discretion, then the decision must be taken within three months. **So, Statement 1 is correct.**

The recent Supreme Court's ruling clarified that a Governor cannot withhold assent to a Bill indefinitely.

- Under Article 200, the Governor has no power to exercise an "absolute veto" or pocket veto and must act on Bills within a reasonable timeframe.
- While the Governor may return a Bill for reconsideration or reserve it for the President, delaying action without limit amounts to an abuse of power.
- Once the Legislature re-passes a Bill, the Governor is bound to give assent unless the revised Bill is substantially different from the original. Hence, the Governor must act "as soon as possible" and cannot keep Bills pending endlessly. **So, Statement 2 is not correct.**

According to the Indian Constitution, the Governor has specific powers regarding Bills passed by the State Legislature. Article 200 gives the Governor the following options:

- Grant assent to the Bill,
- Withhold assent,
- Return the Bill (if it is not a Money Bill) for reconsideration, and
- Reserve the Bill for the President's consideration.

Although Article 200 states that the Governor must act "as soon as possible," it does not specify a time limit. This has led to delays in several States.

In a recent judgment, the Supreme Court addressed this issue and prescribed clear timelines for Governors:

- Assent to a Bill must be given within one month.
- The Governor cannot withhold assent contrary to the aid and advice of the Council of Ministers.
- A Bill must be returned within three months if reconsideration is required.
- Any reservation for the President's consideration must also be expressed within three months.
- If the Legislature re-passes the Bill after reconsideration, the Governor must give assent within one month. **So, Statement 3 is correct.**

ADDITIONAL INFORMATION:

ARTICLES RELATED TO GOVERNOR AT A GLANCE	
About	Article No. Subject Matter ➤ 153. Governors of states ➤ 154. Executive power of the State ➤ 155. Appointment of Governor ➤ 156. Term of office of the Governor ➤ 157. Qualifications for appointment as Governor ➤ 158. Conditions of the Governor's office ➤ 159. Oath or affirmation by the Governor ➤ 160. Discharge of the functions of the Governor in certain contingencies ➤ 161. Power of the Governor to grant pardons and other ➤ 162. Extent of executive power of the State ➤ 163. Council of Ministers to aid and advise the Governor ➤ 164. Other provisions as to ministers, like appointments, term, salaries, and others ➤ 165. Advocate-General for the State ➤ 166. Conduct of business of the government of a state ➤ 167. Duties of the Chief Minister regarding furnishing of information to the Governor, and so on ➤ 174. Sessions of the state legislature, prorogation and dissolution ➤ 175. Right of the Governor to address and send messages to the House or houses of the state legislature ➤ 176. Special address by the Governor ➤ 200. Assent to bills (i.e. assent of the Governor to the bills passed by the state legislature) ➤ 201 Bills reserved by the Governor for consideration of the President ➤ 213. Power of the Governor to promulgate ordinances ➤ 217. Governor is being consulted by the President in the matter of the appointments of the judges of the High Courts ➤ 233. Appointment of district judges by the Governor ➤ 234. Appointments of persons (other than district judges) to the judicial service of the State by the Governor.
Legislative Powers of the Governor	The Governor is an integral part of the State Legislature, He/She Performs key functions such as summoning, proroguing, and dissolving the State Legislative Assembly. The Governor addresses the Legislature at: • the first session after each general election. • the first session of every year. Communication and Procedural Roles: ➤ Can send messages to one or both Houses on legislative matters. ➤ May appoint a member to preside over proceedings when posts like Speaker/Deputy Speaker (Assembly) or Chairman/Deputy Chairman (Council) are vacant. ➤ Nominates one-sixth of the Legislative Council members from distinguished fields. (Anglo-Indian nomination to the Assembly abolished by the 104th Amendment, 2019.) Role in Disqualification of Members: ➤ Decides questions of disqualification of legislators. ➤ Must act based on the opinion of the Election Commission. Governor's Role in the Legislative Process (Assent to Bills) When a Bill is presented, the Governor may: ➤ Give assent ➤ Withhold assent

	➤ Return (if not a Money Bill) for reconsideration ➤ Reserve the Bill for Presidential consideration If the Legislature passes the Bill again, the Governor must give assent unless it is reserved for the President. Reservation of Bills for President ➤ Mandatory reservation when the Bill affects the status, powers, or jurisdiction of the High Court. ➤ Discretionary reservation when the Bill is: • Unconstitutional • Against national interest • Violates Directive Principles • Relates to property acquisition under Article 31A Ordinance-Making Power: ➤ Can issue ordinances when the Legislature is not in session. ➤ Ordinances must be approved within six weeks of the Legislature reassembling. Reports Presented to the Legislature: ➤ Reports of the State Finance Commission ➤ Reports of the State Public Service Commission ➤ Comptroller and Auditor General (CAG) reports.
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9. With reference to the constitutional distribution of legislative powers over gambling and online gaming in India, consider the following statements:
1. The Promotion and Regulation of Online Gaming Act, 2025, is traceable to Parliament's residuary power, as online and cyber activities are not enumerated in any list of the Seventh Schedule.
 2. Posts and telegraphs, telephones, wireless, broadcasting, and other like forms of communication fall under the Union List in the Seventh Schedule
 3. Betting and gambling fall exclusively in the State List, giving State Legislatures sole authority over traditional gambling activities under normal circumstances.
- Which of the above statements are correct?
- (a) 1 and 2 only
(b) 1 and 3 only
(c) 2 and 3 only
(d) 1, 2 and 3

EXPLANATION:

Recently, the Promotion and Regulation of Online Gaming Act, 2025 ('the Act') came into effect after receiving presidential assent. The Act prohibits the offering and advertising of any online money game or service associated with the same.

- According to Article 248 of the Indian Constitution, Parliament has exclusive residuary powers, meaning it can make laws on any subject that is not listed in the State List or the Concurrent List.
- Online gaming, being an online/cyber activity, is not mentioned in the Union, State, or Concurrent List.
- Since online and cyber activities are not listed in any of the three lists of the Seventh Schedule, they fall within the category of residuary subjects, which gives Parliament exclusive power to make legislative law (like The Promotion and Regulation of Online Gaming Act, 2025). **So, Statement 1 is correct.**

Entry No. 31 in List I (Union List) of the Seventh Schedule to the Constitution of India covers "posts and telegraphs, telephones, wireless, broadcasting and other like forms of communication". Only the Central government, as per Article 246 of the Constitution, can legislate on such subjects. **So, Statement 2 is correct.**

As per Article 246(3), State Legislatures have the exclusive power to make laws for their respective States with respect to any of the matters enumerated in List II in the Seventh Schedule ('State List').

- Entry 34 of the State List includes "betting and gambling".
- Further, Entry 62 of the State List (List II) explicitly grants states the power to tax betting and gambling, including lotteries.

So, Statement 3 is correct.

ADDITIONAL INFORMATION:

ARTICLES RELATED TO CENTRE-STATE LEGISLATIVE RELATIONS		
About	Article No.	Subject Matter
	➤ 245.	Extent of laws made by Parliament and by the legislatures of states
	➤ 246.	Subject matter of laws made by Parliament and by the legislatures of states
	➤ 246A.	Special provision with respect to goods and services tax
	➤ 247.	Power of Parliament to provide for the establishment of certain additional courts
	➤ 248.	Residuary powers of legislation
	➤ 249.	Power of Parliament to legislate with respect to a matter in the state list in the national interest
	➤ 250.	Power of Parliament to legislate with respect to any matter in the state list if a Proclamation of Emergency is in operation
	➤ 251.	Inconsistency between laws made by Parliament under articles 249 and 250 and laws made by the legislatures of states
	➤ 252.	Power of Parliament to legislate for two or more states by consent and adoption of such legislation by any other state
	➤ 253.	Legislation for giving effect to international agreements
	➤ 254.	Inconsistency between laws made by Parliament and laws made by the legislatures of states
	➤ 255.	Requirements as to recommendations and previous sanctions to be regarded as matters of procedure only

10. Consider the following statements:

Statement-I:

The parliamentary system of Government prevents despotism.

Statement II:

A no-confidence motion can remove the executive.

Statement III:

The executive authority is vested in the Council of Ministers.

Which of the following is correct in respect of the above statements?

(a) Both Statement II and Statement III are correct and both of them explain Statement I.

(b) Both Statement II and Statement III are correct but only one of them explains Statement I.

(c) Only one of Statements II and III is correct and that explains Statement I.

(d) Neither Statement II nor Statement III is correct.

EXPLANATION:

Despotism refers to a form of government in which a single authority exercises absolute power, often marked by the arbitrary and unchecked use of that power. The parliamentary system of government prevents despotism because executive power is not concentrated in a single individual.

Instead, it is vested in a collective body—the Council of Ministers—which reduces the possibility of authoritarian rule. This dispersal of authority checks the dictatorial tendencies of the executive.

Moreover, the executive is responsible to the Parliament and remains in office only as long as it enjoys the confidence of the Lok Sabha. **So, Statement I is correct.**

Article 75 states that the Council of Ministers (executives) is collectively responsible to the Lok Sabha. This means the ministry can be removed at any time by a no-confidence motion, which requires the support of 50 members to be admitted. Thus, the executive's survival depends on maintaining the support of the majority.

The power of the Lok Sabha to remove the executive through a no-confidence motion is one of the most important safeguards against despotism. **So, Statement II is correct.**

According to Articles 73 and 74 of the Indian Constitution, the President is the formal head of the Union Executive, but the real executive power is exercised by the Council of Ministers, led by the Prime Minister.

Article 74(1) states that the President must act on the aid and advice of the Council of Ministers headed by the Prime Minister.

Because decisions are made by a collective body, and the Council of Ministers is collectively responsible to the Lok Sabha, power does not remain with a single individual. This system ensures accountability and prevents concentration of power. **So, Statement III is correct.**

Thus, Both Statement II and Statement III are correct and both of them explains Statement I.

11. With reference to the Advocate General of the State, consider the following statements:

1. He/she is appointed and removed by the Governor of the State.
2. He/she must be qualified to become a Supreme Court judge.
3. He/She may participate in the proceedings of the State Legislature but is not entitled to vote.

How many of the above statements is/are correct?

- (a) Only one
- (b) Only two**
- (c) All three
- (d) None

EXPLANATION:

The Constitution (Article 165) has provided the office of the Advocate General for the states. He is the highest law officer in the state. Thus, he corresponds to the Attorney General of India.

- The advocate general is appointed by the governor. The term of office of the advocate general 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 governor. This means that he may be removed by the governor at any time. He may also quit his office by submitting his resignation to the governor. Conventionally, he resigns when the government (council of ministers) resigns or is replaced, as he is appointed on its advice. Thus, he/she is appointed and removed by the Governor of the State. **So, Statement 1 is correct.**
- 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. **So, Statement 2 is not correct.**
- The remuneration of the advocate general is not fixed by the Constitution. He receives such remuneration as the governor may determine

As the chief law officer of the government in the state, the duties of the advocate general include the following:

- To give advice to the government of the state upon such legal matters which are referred to him by the governor.
- To perform such other duties of a legal character that are assigned to him by the governor.

- To discharge the functions conferred on him by the Constitution or any other law. In the performance of his official duties, the advocate general is entitled to appear before any court of law within the state.

Further, he has the right to speak and to take part in the proceedings of both the Houses of the state legislature or any committee of the state legislature of which he may be named a member, but without a right to vote. He enjoys all the privileges and immunities that are available to a member of the state legislature. **So, Statement 3 is correct.**

ADDITIONAL INFORMATION:

ATTORNEY GENERAL OF INDIA	
About	The Constitution (Article 76) has provided for the office of the Attorney General for India. He is the highest law officer in the country.
Appointment and Term	➤ 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. In other words, he must be a citizen of India and he must have been a judge of some high court for five years or an advocate of some high court for ten years or an eminent jurist, in the opinion of the president. ➤ 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. This means that he may be removed by the president at any time. He may also quit his office by submitting his resignation to the president. Conventionally, he resigns when the government (council of ministers) resigns or is replaced, as he is appointed on its advice. ➤ The remuneration of the AG is not fixed by the Constitution. He receives such remuneration as the president may determine.
Duties and Functions	As the chief law officer of the Government of India, the duties of the AG include the following: ➤ To give advice to the Government of India upon such legal matters, which are referred to him by the president. ➤ To perform such other duties of a legal character that are assigned to him by the president. ➤ To discharge the functions conferred on him by the Constitution or any other law. The president has assigned the following duties to the AG ➤ To appear on behalf of the Government of India in all cases in the Supreme Court in which the Government of India is concerned. ➤ To represent the Government of India in any reference made by the president to the Supreme Court under Article 143 of the Constitution. ➤ To appear (when required by the Government of India) in any high court in any case in which the Government of India is concerned.

12. Which one of the following is **not** covered under the Representation of the People Act, 1950?

- Delimitation of powers of the President.
- (b) Composition of the Legislative Council in a State.**
- Registration of electors for Parliamentary Constituencies.
- Electoral roll for State Legislative Council elections.

EXPLANATION:

The Representation of the People Act, 1950, was enacted to provide for the allocation of seats in the House of the People and in the Legislative Assemblies and Legislative Councils of States.

- The Act also sought to confer on the President the powers to delimit, after consultation with the Election Commission, the various constituencies for the purpose of elections to fill seats in the House of the People and in the Legislative Assemblies and Legislative Councils of States. **So, Option (a) is correct.**
- The Act further provided for the registration of electors for Parliamentary Constituencies and for the Assembly and Council Constituencies, and the qualifications and disqualifications for such registration. **So, Option (c) is correct.**

The composition of the Legislative Council of a State is provided under Article 171 of the Constitution of India.

However, Parliament has the power to alter this composition by law. So far, no special law has been enacted by Parliament to modify the composition prescribed in Article 171. Moreover, the composition of the Legislative Council is not dealt with under the Representation of the People Act. Any variation from the constitutional composition, if made, is provided in the specific Legislative Council Act enacted by Parliament for the creation of a Legislative Council in a particular State.

Therefore, the Representation of the People Act does not contain any provisions relating to the composition of the Legislative Council. **So, Option (b) is not correct.**

The Representation of the People Act, 1950, Section 27, deals with the Preparation of electoral roll for Council constituencies.

It states that for the purpose of elections to the Legislative Council of a State in any local authorities' constituency, every member of each such local authority within a local authority's constituency shall be entitled to be registered in the electoral roll for that constituency.

So, Option (d) is correct.

13. Consider the following statements with respect to elections in India :

1. A by-election shall not be conducted when the remaining tenure of the member whose seat has fallen vacant is less than one year.
2. A person who is convicted of insulting the National Flag is disqualified from contesting in the elections to the Parliament for a decade.
3. If a deceased candidate belonged to a recognized political party, the party can propose another candidate within thirty days.

How many of the above statements is/are correct?

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

EXPLANATION:

A by-election must normally be held within six months of a vacancy arising in either House of Parliament or a state legislature. But, this condition is not applicable in two cases:

- Where the remainder of the term of the member whose vacancy is to be filled is less than one year; or
- When the Election Commission, in consultation with the Central Government, certifies that it is difficult to hold the by-elections within the said period. **So, Statement 1 is correct.**

According to Article 51A, every citizen of India has the duty to abide by the Constitution and to respect its ideals and institutions, as well as the National Flag and the National Anthem. The Prevention of

Insults to National Honour Act, 1971, reinforces this duty by prohibiting any disrespect toward the Constitution, the National Flag, and the National Anthem.

- A person convicted under this Act—for insulting the National Flag, insulting the Constitution of India, or preventing the singing of the National Anthem—is disqualified from contesting elections to Parliament or the state legislatures for a period of six years, not a decade. **So, Statement 2 is not correct.**

Earlier, If a contesting candidate died before the actual polling, the election in that constituency was countermanded, and the entire process had to begin again. Now, elections are no longer countermanded in such cases. Instead, if the deceased candidate belonged to a recognised political party, that party is given the option to nominate another candidate within seven days, not within thirty days. **So, Statement 3 is not correct.**

ADDITIONAL INFORMATION:

DINESH GOSWAMI REPORT ON ELECTORAL REFORMS	
About	In 1990, the National Front Government headed by V.P. Singh appointed a committee on electoral reforms under the chairmanship of Dinesh Goswami, the then Law Minister. The Committee was asked to study the electoral system in detail and suggest measures for remedying the drawbacks within it. The Committee, in its report submitted in 1990 itself, made a number of proposals on electoral reforms. Some of these recommendations were implemented in 1996.
Recommendations	➤ Listing of Names of Candidates: Candidates are listed in three categories—recognised party, registered-unrecognised party, and independents—arranged separately and alphabetically. ➤ Prohibition on the Sale of Liquor: Liquor cannot be sold or distributed within a polling area during the 48 hours before the close of polling, with violations punishable by imprisonment or fine. ➤ Number of Proposers: A candidate of a recognised party needs one proposer, while others need ten electors to subscribe their nomination. ➤ Holiday to Employees on the Polling Day: All registered voters employed in any establishment are entitled to a paid holiday on polling day, with penalties for employers who violate this. ➤ Contestants Restricted to Two Constituencies: A candidate cannot contest from more than two constituencies in a general election or simultaneous by-elections. ➤ Prohibition of Arms: Carrying arms near a polling station is a cognizable offence punishable by imprisonment or fine, with confiscation of the arms. ➤ Effective Campaigning Period Reduced: The minimum gap between withdrawal of candidature and polling has been reduced from 20 days to 14 days.

14. Arrange the following commissions on Centre-State Relations in Chronological order:

1. Sarkaria Commission
2. Punchhi Commission
3. Rajmanner Commission

Select the correct answer using the code given below:

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

EXPLANATION:

In 1969, the Tamil Nadu Government (DMK) appointed a three-member committee under the chairmanship of Dr P.V. Rajamannar to examine the entire question of Centre-state relations and to suggest amendments to the Constitution so as to secure utmost autonomy to the states. The committee submitted its report to the Tamil Nadu Government in 1971.

The important recommendations of the committee are as follows:

- An Inter-State Council should be set up immediately.
- The Finance Commission should be made a permanent body.
- The Planning Commission should be disbanded, and a statutory body should take its place.
- Articles 356, 357 and 365 (dealing with President's Rule) should be totally omitted;
- The provision that the state ministry holds office during the pleasure of the governor should be omitted.
- Certain subjects of the Union List and the Concurrent List should be transferred to the State List;
- The residuary powers should be allocated to the states; and
- All-India services (IAS, IPS and IFS) should be abolished

The Central government completely ignored the recommendations of the Rajamannar Committee. **(3)**

In 1983, the Central government appointed a three-member Commission on Centre-state relations under the chairmanship of R.S. Sarkaria, a retired judge of the Supreme Court.

- The commission was asked to examine and review the working of existing arrangements between the Centre and states in all spheres and recommend appropriate changes and measures.
- It was initially given one year to complete its work, but its term was extended four times. It submitted its report in 1988.
- The Commission did not favour structural changes and regarded the existing constitutional arrangements and principles relating to the institutions as basically sound. But it emphasised the need for changes in the functional or operational aspects.
- The Commission made 247 recommendations to improve Centre-state relations. **(1)**

The Government of India set up the Second Commission on Centre-State Relations in April 2007 under the Chairmanship of Madan Mohan Punchhi, former Chief Justice of India. **(2)**

- It was required to look into the issues of Centre-State relations, keeping in view the sea changes that have taken place in the polity and economy of India since the Sarkaria Commission had last looked at the issue of Centre-State relations over two decades ago.
- The Commission submitted its report to the government in April 2010. In finalising the 1,456-page report, in seven volumes, the Commission took extensive help from the Sarkaria Commission report, the National Commission to Review the Working of the Constitution (NCRWC) report and the Second Administrative Reforms Commission report. However, in a number of areas, the Commission report differed from the Sarkaria Commission recommendations.
- The Commission made over 310 recommendations, touching upon several significant areas in the working of Centre-state relations.

Therefore, the correct chronological order of Commissions on the Centre-State Relations is Rajmanner Commission (1969) → Sarkaria Commission (1983) → Punchhi Commission (2007) **(3-1-2)**. So, Option **(c) is correct.**

15. With reference to Grants-in-Aid, consider the following statements:

1. Statutory grants are given to States based on the recommendation of the Finance Commission.
2. Discretionary Grants given by the Centre to States are to help the state financially fulfil plan targets.

Which of the above grants-in-aid are given under Article 275 of the Indian Constitution?

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

EXPLANATION:

Article 275 of the Indian Constitution empowers Parliament to provide grants-in-aid to States that require financial assistance.

These grants are not uniform for all States; Parliament may prescribe different amounts depending on individual State needs.

All such grants are charged on the Consolidated Fund of India. Article 275 also includes specific grants aimed at promoting the welfare of Scheduled Tribes and improving the administration of Scheduled Areas, including those in the State of Assam.

The Finance Commission recommends how much grants-in-aid should be given to States that need financial help, and the principles for giving these grants, as provided under Article 275 of the Constitution. **So, Statement 1 is correct.**

Discretionary Grants under Article 282 empower both the Centre and the states to make any grants for any public purpose, even if it is not within their respective legislative competence.

- Under this provision, the Centre makes grants to the states. "These grants are also known as discretionary grants, the reason being that the Centre is under no obligation to give these grants, and the matter lies within its discretion.
- These grants have a two-fold purpose: to help the state financially to fulfil plan targets; and to give some leverage to the Centre to influence and coordinate state action to effectuate the national plan.
- Discretionary grants come under Article 282, not Article 275. **So, Statement 2 is not correct.**

ADDITIONAL INFORMATION:

FISCAL FEDERAL ARCHITECTURE	
Recently in news	The Union Minister of State for Tribal Affairs informed Lok Sabha that under the "proviso to Grants under Article 275(1) of the Constitution", funds are released to State Governments under two categories, namely ➤ Creation of Capital Assets (CCA), (i.e. non-recurring grants) and ➤ Grant-in-aid General (GG), (i.e. Recurring grants).
About	Under the Seventh Schedule of the Constitution, the Union has been given greater powers to raise revenue, while States have been assigned a larger share of welfare and development responsibilities. The Constitution's fiscal federal architecture allows multiple channels for the flow of funds from the Centre to the States. Predominantly, intergovernmental transfers are channeled through the following routes: ➤ Article 270 provides for sharing of taxes and duties collected by the Union with the States. ➤ Article 275 provides grants-in-aid to States that need financial assistance. The amount can differ from state to state based on their specific needs. For example, Tamil Nadu has received Article 275 grants for the welfare of Scheduled Tribes, and States like Nagaland and Meghalaya have received grants for vulnerable communities. ➤ Article 282 allows both the Union and the States to give grants for any public purpose, even if that purpose falls outside their respective legislative powers under the Seventh Schedule. ➤ Transfers under Articles 270 and 275 are made based on the recommendations of the Finance Commission (Article 280), while grants under Article 282 are outside the Finance Commission's scope.

16. With reference to Cabinet Committees, consider the following statements:

1. They are not mentioned in the Constitution or Rules of Business of Parliament.
2. They are set up by the President.
3. Non-Cabinet members can also be members of these committees.

How many of the above statements is/are **not** correct?

- (a) Only one
- (b) Only two**
- (c) All three
- (d) None

EXPLANATION:

Cabinet committees are extra-constitutional bodies often termed as essential technical administrative devices. Cabinet committees help in resolving issues cropping up between two departments or ministries by preparing a common ground. This, in turn, reduces the workload of the Union Cabinet.

- **Constitution:** They are not mentioned in the Constitution.
- **Rules of Business:** Cabinet committees are formed in accordance with the Government of India Transaction of Business Rules, 1961 and these Committees are indeed mentioned in the Government of India (Transaction of Business) Rules, 1961. **So, Statement 1 is not correct.**

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

- They are set up by the Prime Minister (*not* by the President) according to the exigencies of the time and requirements of the situation.
- Hence, their number, nomenclature, and composition vary from time to time.

So, Statement 2 is not correct.

In Cabinet Committees, membership varies from three to eight. They usually include only Cabinet Ministers. Sometimes, the non-cabinet ministers can also be appointed as their members. Further, the non-cabinet ministers can also attend the meetings of the Cabinet Committees as special invitees.

- They not only include the Ministers in charge of subjects covered by them but also include other senior Ministers.
- They are mostly headed by the Prime Minister.
- Sometimes other Cabinet Ministers, particularly the Home Minister or the Finance Minister, also act as their Chairman. But, in case the Prime Minister is a member of a committee, he invariably presides over it. **So, Statement 3 is correct.**

ADDITIONAL INFORMATION:

CABINET COMMITTEES	
About	➤ There is a total of eight cabinet committees on economic affairs, political affairs, investment and growth, security, parliamentary affairs, employment and skill development, accommodation and appointments. The committees on investment and employment were introduced in 2019. ➤ All committees except the Cabinet Committee on Accommodation and the Cabinet Committee on Parliamentary Affairs are headed by the Prime Minister. At present, the following 8 Cabinet Committees are functional: • Cabinet Committee on Political Affairs • Cabinet Committee on Economic Affairs • Appointments Committee of the Cabinet • Cabinet Committee on Parliamentary Affairs • Cabinet Committee on Security • Cabinet Committee on Accommodation

	• Cabinet Committee on Investment and Growth • Cabinet Committee on Employment and Skill Development
Function	The following are the functions of the cabinet committees: ➤ The Cabinet Committee on Political Affairs deals with all policy matters pertaining to domestic and foreign affairs. ➤ The Cabinet Committee on Economic Affairs directs and coordinates governmental activities in the economic sphere. ➤ The Appointments Committee of the Cabinet decides all higher-level appointments in the Central Secretariat, Public Enterprises, Banks and Financial Institutions. ➤ The Cabinet Committee on Parliamentary Affairs looks after the progress of government business in Parliament. ➤ The Cabinet Committee on Security deals with all issues relating to defence, law and order, internal security and atomic energy. ➤ The Cabinet Committee on Accommodation deals with all issues regarding the allotment of government accommodation to the Members of Parliament, central government employees, other persons and various organisations. ➤ The Cabinet Committee on Investment and Growth deals with all policy matters aimed at accelerating capital inflows, export promotion, import substitution, and improving ease of doing business. ➤ The Cabinet Committee on Employment and Skill Development deals with all issues related to developing skills, enhancing employability of workforce and increasing women workforce participation. Of all the Cabinet Committees, the most powerful is the Political Affairs Committee, often described as a "Super-Cabinet".

17. Consider the following statements:

1. The period between an adjournment and the next sitting of the House is called a 'recess'.
2. The period between the first sitting of a house and its prorogation is called a 'session'.
3. The Parliament must meet at least three times every year.

Which of the statements given above is/are correct?

(a) 2 only

(b) 1 and 2 only

(c) 2 and 3 only

(d) 1, 2 and 3

EXPLANATION:

A 'session' of Parliament is the period spanning between the first sitting of a House and its prorogation (or dissolution in the case of the Lok Sabha). During a session, the House meets every day to transact business.

The period spanning between the prorogation of a House and its reassembly in a new session is called 'recess'. **So, Statement 1 is not correct and Statement 2 is correct.**

The president, from time to time, summons each House of Parliament to meet. But the maximum gap between two sessions of Parliament cannot be more than six months. In other words, the Parliament should meet at least twice a year. There are usually three sessions in a year, viz,

- the Budget Session (February to May);
- the Monsoon Session (July to September);
- the Winter Session (November to December). **So, Statement 3 is not correct.**

ADDITIONAL INFORMATION:

SESSIONS OF THE PARLIAMENT	
Recently in news	Recently, the President of India, has approved the proposal of the Government to convene the Winter Session of Parliament from December 1 to 19, with a total of fifteen sittings scheduled during the 19-day session. This will be a shorter session compared to other sessions of Parliament. ➤ The last notably short Winter Session was held in 2013, lasting only 14 days, from December 5 to December 18, with just 11 sittings.
Adjournment	➤ A session of Parliament consists of many meetings. Each meeting of a day consists of two sittings, that is, a morning sitting from 11 am to 1 pm and post-lunch sitting from 2 pm to 6 pm. ➤ A sitting of Parliament can be terminated by adjournment, adjournment sine die, prorogation, or dissolution (in the case of the Lok Sabha). An adjournment suspends the work in a sitting for a specified time, which may be hours, days or weeks.
Adjournment Sine Die	➤ Adjournment sine die means terminating a sitting of Parliament for an indefinite period. In other words, when the House is adjourned without naming a day for reassembly, it is called adjournment sine die. The power of adjournment as well as adjournment sine die lies with the presiding officer of the House. ➤ He can also call a sitting of the House before the date or time to which it has been adjourned or at any time after the House has been adjourned sine die.
Prorogation	The presiding officer (Speaker or Chairman) declares the House adjourned sine die, when the business of a session is completed. Within the next few days, the President issues a notification for prorogation of the session. However, the President can also prorogue the House while in session.
Dissolution	Rajya Sabha, being a permanent House, is not subject to dissolution. Only the Lok Sabha is subject to dissolution. Unlike a prorogation, a dissolution ends the very life of the existing House, and a new House is constituted after general elections are held. The dissolution of the Lok Sabha may take place in either of two ways: ➤ Automatic dissolution, that is, on the expiry of its tenure of five years or the terms as extended during a national emergency; ➤ Whenever the President decides to dissolve the House, which he is authorised to do. Once the Lok Sabha is dissolved before the completion of its normal tenure, the dissolution is irrevocable.
Quorum	➤ Quorum is the minimum number of members required to be present in the House before it can transact any business. It is one tenth of the total number of members in each House including the presiding officer. ➤ It means that there must be at least 55 members present in the Lok Sabha and 25 members present in the Rajya Sabha, if any business is to be conducted. If there is no quorum during a meeting of the House, it is the duty of the presiding officer either to adjourn the House or to suspend the meeting until there is a quorum.

18. With reference to the recent action of the Election Commission of India (ECI) on registered unrecognised political parties, consider the following statements:

1. The ECI can delist a political party if it fails to contest even a single election for six continuous years.
2. Delisted parties lose eligibility for benefits such as reserved election symbols and tax exemptions.
3. Before delisting, the ECI issues show-cause notices and gives the concerned parties an opportunity for a hearing.

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**

EXPLANATION:

Recently, as part of its efforts to clean up the electoral processes in the country, the Election Commission of India (ECI) has delisted 334 Registered Unrecognised Political Parties (RUPPs), which have failed to fulfil the essential condition of contesting even a single election for six years since 2019. Political Parties (National/State/Registered Unrecognised Political Parties) in the country are registered with the ECI under the provisions of Section 29A of the Representation of the People Act 1951.

- Guidelines for registration of Political Parties mention that if the party does not contest elections continuously for 6 years, the party shall be taken off the list of registered parties. **So, Statement 1 is correct.**
- The delisting meant that these parties would not be eligible to avail any benefit under the provisions of Section 29B and Section 29C of the Representation of the People Act, 1951 and relevant sections of the Income Tax Act, 1961 and the Election Symbols (Reservation and Allotment) Order, 1968. **So, Statement 2 is correct.**
- In order to ensure that no party is unduly delisted, the CEOs of the respective States/UTs have been directed to issue show-cause notices to these Registered Unrecognised Political Parties, following which, the parties will be given an opportunity through a hearing by the concerned CEOs. **So, Statement 3 is correct.**

ADDITIONAL INFORMATION:

POLITICAL PARTIES	
Conditions for Recognition as a National Party	At present, a party is recognised as a national party if any of the following conditions are fulfilled: ➤ If it secures six per cent of valid votes polled in any four or more states at a general election to the Lok Sabha or to the legislative assembly, and, in addition, it wins four seats in the Lok Sabha from any state or states; or ➤ If it wins two per cent of seats in the Lok Sabha at a general election, and these candidates are elected from three states, or ➤ If it is recognised as a state party in four states.
Conditions for Recognition as a State Party	At present, a party is recognised as a state party in a state if any of the following conditions are fulfilled: ➤ If it secures six per cent of the valid votes polled in the state at a general election to the legislative assembly of the state concerned, and, in addition, it wins 2 seats in the assembly of the state concerned, or ➤ If it secures six per cent of the valid votes polled in the state at a general election to the Lok Sabha from the state concerned, and, in addition, it wins 1 seat in the Lok Sabha from the state concerned, or ➤ If it wins three per cent of seats in the legislative assembly at a general election to the legislative assembly of the state concerned or 3 seats in the assembly, whichever is more; or ➤ If it wins 1 seat in the Lok Sabha for every 25 seats or any fraction thereof allotted to the state at a general election to the Lok Sabha from the state concerned; or ➤ If it secures eight per cent of the total valid votes polled in the state at a General Election to the Lok Sabha from the state or to the legislative assembly of the state. This condition was added in 2011.

19. With reference to cooperative federalism in India, consider the following statements:

1. The Inter-State Council and the NITI Aayog are institutional mechanisms that promote cooperation between the Union and the States.
 2. The Zonal Councils have been set up under Article 263 of the Constitution.
 3. The Planning Commission was a constitutional body, whereas NITI Aayog is a statutory body.
- Which of the statements given above is/are correct?

(a) 1 only

(b) 1 and 2 only

(c) 1 and 3 only

(d) 2 and 3 only

EXPLANATION:

- Article 263 contemplates the establishment of an Inter-State Council to effect coordination between the states and between the Centre and states.
 - The President can establish such a council if, at any time, it appears to him that the public interest would be served by its establishment. He can define the nature of duties to be performed by such a council and its organisation and procedure.
 - The council's function to enquire and advise upon inter-state disputes is complementary to the Supreme Court's jurisdiction under Article 131 to decide a legal controversy between the governments.
- The NITI Aayog (National Institution for Transforming India) established in 2015 as the successor to the erstwhile Planning Commission, was created like the Planning Commission, through an executive resolution of the Union Government."

Therefore, both the Planning Commission and Niti Ayog are established through executive resolution; they are neither a constitutional body nor a statutory body. **So, Statement 3 is not correct.**

 - Unlike the Planning Commission's top-down model, the NITI Aayog was specifically designed to advance the principle of cooperative federalism.
 - The NITI Aayog functions as a platform for structured collaboration between the Centre and the States. Through mechanisms such as the Governing Council, Sub-groups of Chief Ministers, and shared national development agendas, it brings the States together as "Team India", thereby ensuring participative policy-making, decentralised planning, and improved governance outcomes.
 - Thus, NITI Aayog plays a central role in promoting cooperative and competitive federalism in India.

Therefore, the Inter-State Council and the NITI Aayog are institutional mechanisms that promote cooperation between the Union and the States. **So, Statement 1 is correct.**

The Zonal Councils are the statutory (and not the constitutional) bodies. An Act of Parliament establishes them, through the States Reorganisation Act of 1956 (Not Under Article 263). **So, Statement 2 is not correct.**

The act divided the country into five zones (Northern, Central, Eastern, Western and Southern) and provided a zonal council for each zone.

The zonal councils aim at promoting cooperation and coordination between states, union territories and the Centre. They discuss and make recommendations regarding matters like economic and social planning, linguistic minorities, border disputes, interstate transport, and so on. They are only deliberative and advisory bodies.

20. With reference to the GST Council, consider the following statements:

1. GST Council is a Constitutional body and its recommendations are binding on the Union and the States.
2. It was introduced through the 101st Constitutional Amendment Act, 2016.
3. The central government holds a weightage of 2/3rd of the total votes in the GST Council, while the state governments collectively hold the remaining 1/3rd

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

(a) 1 and 2 only

(b) 2 only

(c) 1 and 3 only

(d) 2 and 3 only

EXPLANATION:

The 101st Amendment Act of 2016 paved the way for the introduction of a new tax regime (i.e. goods and services tax – GST) in the country. **So, Statement 2 is correct.**

- The smooth and efficient administration of this tax requires cooperation and coordination between the centre and the states. In order to facilitate this consultation process, the amendment provided for the establishment of a Goods and Services Tax Council or the GST Council.
- GST Council is a constitutional body. As per the verdict of the court, recommendations of GST Council is not binding on Union and State Governments. The Supreme Court in the Mohit Minerals case' 2022 clarified that both the Union and States are not legally bound by its decisions. **So, Statement 1 is not correct.**
- The amendment inserted a new Article 279-A in the Constitution. This Article empowered the President to constitute a GST Council by an order.

The decisions of the GST Council are taken at its meetings. One-half of the total number of members of the Council is the quorum for conducting a meeting. Every decision of the Council is to be taken by a majority of not less than three-fourths of the weighted votes of the members present and voting at the meeting. The decision is taken in accordance with the following principles:

- The vote of the central government shall have a weightage of one-third of the total votes cast in that meeting.
- The votes of all the state governments combined shall have a weightage of two-thirds of the total votes cast in that meeting. **So, Statement 3 is not correct.**

ADDITIONAL INFORMATION:

COMPOSITION AND FUNCTIONS OF THE GST COUNCIL	
Composition	The Council is a joint forum of the centre and the states and consists of the following members: ➤ The Union Finance Minister as the Chairperson ➤ The Union Minister of State in-charge of Revenue or Finance ➤ The Minister in-charge of Finance or Taxation or any other Minister nominated by each state government The members of the Council from the states have to choose one amongst themselves to be the Vice-Chairperson of the Council. They can also decide his term. The Union Cabinet also decided to include the Chairperson of the Central Board of Indirect Taxes and Customs (CBIC) as a permanent invitee (non-voting) to all proceedings of the Council.
Functions	The Council is required to make recommendations to the centre and the states on the following matters: ➤ The taxes, cesses and surcharges levied by the centre, the states and the local bodies that would get merged in GST. ➤ The goods and services that may be subjected to GST or exempted from GST. ➤ Model GST Laws, principles of levy, apportionment of GST levied on supplies in the course of inter-state trade or commerce and the principles that govern the place of supply. ➤ The threshold limit of turnover below which goods and services may be exempted from GST. ➤ The rates including floor rates with bands of GST. ➤ Any special rate or rates for a specified period to raise additional resources during any natural calamity or disaster. ➤ Special provision with respect to the states of Arunachal Pradesh, Assam, Jammu and Kashmir, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, Tripura, Himachal Pradesh and Uttarakhand.

21. Consider the following :

1. Written Constitution
2. Rigid Constitution
3. Single Citizenship
4. Integrated Election Machinery

How many of the features given above are considered unitary features of Indian Constitution?

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

EXPLANATION:

The Constitution is not only a written document but also the longest Constitution in the world. Originally, it contained a Preamble, 395 Articles (divided into 22 Parts) and 8 Schedules.² At present (2019), it consists of a Preamble, about 470 Articles (divided into 25 Parts) and 12 Schedules.

The Constitution lays down the structure, organisation, powers and functions of both the Union and State governments. It clearly demarcates their respective jurisdictions and prescribes the limits within which each must operate. Defining these constitutional boundaries helps prevent misunderstandings, conflicts, and overlaps between the Centre and the States, thereby ensuring smooth governance within a federal framework.

Therefore, the Written Constitution is a Federal feature of the Indian Constitution. **So, Statement 1 is not correct.**

The Rigidity of the Constitution is a Federal feature of the Indian Constitution.

- The division of powers established by the Constitution, as well as the supremacy of the Constitution, can be maintained only if the method of its amendment is rigid.
- Hence, the Constitution is rigid to the extent that those provisions which are concerned with the federal structure (i.e., Centre-state relations and judicial organisation) can be amended only by the joint action of the Central and state governments.
- Such provisions require their amendment by a special majority of the Parliament and also the approval of half of the state legislatures.

Therefore, the rigidity of the Constitution ensures the federal features of the Constitution cannot be changed unilaterally by the Centre, thereby preserving the essence of India's federal system. **So, Statement 2 is not correct.**

In spite of a dual polity, the Constitution of India, like that of Canada, adopted the system of single citizenship. There is only Indian Citizenship and no separate state citizenship. All citizens, irrespective of the state in which they are born or reside, enjoy the same rights all over the country. The other federal states like the US, Switzerland and Australia have dual citizenship, that is, national citizenship as well as state citizenship.

India chose single citizenship to promote national unity, integration and a sense of common identity. Therefore, Single Citizenship is a Unitary feature of the Indian Constitution. **So, Statement 3 is correct.**

The Election Commission conducts elections not only to the Central legislature but also to the state legislatures. But this body is constituted by the President, and the states have no say in this matter. The position is the same with regard to the removal of its members as well.

This centralised mechanism reflects the Constitution's intention to ensure the independence, impartiality, and uniformity of the election process across the country. Therefore, the Integrated Election Machinery is a Unitary feature of the Indian Constitution. **So, Statement 4 is correct.**

ADDITIONAL INFORMATION:

FEDERAL AND UNITARY FEATURES OF THE INDIAN CONSTITUTION	
Federal Features	➤ Dual Polity: The Constitution establishes a dual polity consisting of the Union at the Centre and the states at the periphery. Each is endowed with sovereign powers to be exercised in the field assigned to it, respectively, by the Constitution. • The Union government deals with matters of national importance like defence, foreign affairs, currency, communication and so on. • The state governments, on the other hand, look after the matters of regional and local importance like public order, agriculture, health, local government and so on. ➤ Written Constitution ➤ Division of Powers: The Constitution divided the powers between the Centre and the states in terms of the Union List, State List and Concurrent List in the Seventh Schedule. • The Union List consists of 98 subjects (originally 97), the State List 59 subjects (originally 66) and the Concurrent List 52 subjects (originally 47). • Both the Centre and the states can make laws on the subjects of the concurrent list, but in case of a conflict, the Central law prevails. • The residuary subjects (ie, which are not mentioned in any of the three lists) are given to the Centre. ➤ Supremacy of the Constitution: The Constitution is the supreme (or the highest) law of the land. The laws enacted by the Centre and the states must conform to its provisions. Otherwise, they can be declared invalid by the Supreme Court or the high courts through their power of judicial review. Thus, the organs of the government (legislative, executive and judicial) at both the levels must operate within the jurisdiction prescribed by the Constitution. ➤ Rigid Constitution ➤ Independent Judiciary: The Constitution establishes an independent judiciary headed by the Supreme Court for two purposes: one, to protect the supremacy of the Constitution by exercising the power of judicial review; and two, to settle the disputes between the Centre and the states or between the states. • The Constitution contains various measures like security of tenure to judges, fixed service conditions and so on to make the judiciary independent of the government. ➤ Bicameralism: The Constitution provides for a bicameral legislature consisting of an Upper House (Rajya Sabha) and a Lower House (Lok Sabha). • The Rajya Sabha represents the states of the Indian Federation, while the Lok Sabha represents the people of India as a whole. • The Rajya Sabha (even though a less powerful chamber) is required to maintain the federal equilibrium by protecting the interests of the states against the undue interference of the Centre.
Unitary Features	➤ Strong Centre: The division of powers is in favour of the Centre and highly inequitable from the federal angle. • Firstly, the Union List contains more subjects than the State List. • Secondly, the more important subjects have been included in the Union List. • Thirdly, the Centre has overriding authority over the Concurrent List.

- Finally, the residuary powers have also been left with the Centre, while in the US, they are vested in the states. Thus, the Constitution has made the Centre very strong.
- **States Not Indestructible:** Unlike in other federations, the states in India have no right to territorial integrity.
 - The Parliament can, by unilateral action, change the area, boundaries or name of any state.
 - Moreover, it requires only a simple majority and not a special majority.
 - Hence, the Indian Federation is “an indestructible Union of destructible states”. The American Federation, on the other hand, is described as “an indestructible Union of indestructible states”.
- **Single Constitution:** Usually, in a federation, the states have the right to frame their own Constitution separate from that of the Centre. In India, on the contrary, no such power is given to the states.
 - The Constitution of India embodies not only the Constitution of the Centre but also those of the states.
 - Both the Centre and the states must operate within this single frame.
- **Flexibility of the Constitution:** The process of constitutional amendment is less rigid than what is found in other federations.
 - The bulk of the Constitution can be amended by the unilateral action of the Parliament, either by a simple majority or by a special majority.
 - Further, the power to initiate an amendment to the Constitution lies only with the Centre. In the US, the states can also propose an amendment to the Constitution.
- **No Equality of State Representation:** The states are given representation in the Rajya Sabha on the basis of population.
- Hence, the membership varies from 1 to 31. In the US, on the other hand, the principle of equality of representation of states in the Upper House is fully recognised. Thus, the American Senate has 100 members, two from each state. This principle is regarded as a safeguard for smaller states.
- **Emergency Provisions**
- **Single Citizenship**
- **Integrated Judiciary**
- **All-India Services**
- **Integrated Audit Machinery**
- **Parliament’s Authority Over the State List**
- **Appointment of Governor**
- **Integrated Election Machinery**
- **Veto Over State Bills**

22. Consider the following scenarios:

1. When Lok Sabha Passes a Resolution supported by two-thirds of the members present and voting.
2. When the legislatures of two or more states pass resolutions requesting the Parliament to enact laws on a matter in the State List
3. When the President’s rule is imposed in a state.

Under which of the above conditions is Parliament empowered to make laws on matters in the State List?

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

EXPLANATION:

Article 249 provides that when the Rajya Sabha (Not the Lok Sabha) declares that it is necessary in the national interest that Parliament should make laws with respect to goods and services tax or a matter in the State List, then the Parliament becomes competent to make laws on that matter.

- Such a resolution must be supported by two-thirds of the members present and voting.
- The resolution remains in force for one year; it can be renewed any number of times, but not exceeding one year at a time.
- The laws cease to have effect on the expiration of six months after the resolution has ceased to be in force.
- This provision does not restrict the power of a state legislature to make laws on the same matter. But, in case of inconsistency between a state law and a parliamentary law, the latter is to prevail.
- Therefore, Rajya Sabha (Not the Lok Sabha) is empowered to make laws on matters in the State List, when it passes a Resolution supported by two-thirds of the members present and voting. **So, Statement 1 is not correct.**

Under Article 252, when the legislatures of two or more states pass resolutions requesting the Parliament to enact laws on a matter in the State List, then the Parliament can make laws for regulating that matter. **So, Statement 2 is correct.**

- A law so enacted applies only to those states which have passed the resolutions.
- However, any other state may adopt it afterwards by passing a resolution to that effect in its legislature.
- Such a law can be amended or repealed only by the Parliament and not by the legislatures of the concerned states.
- On the other hand, the state legislature ceases to have the power to make a law with respect to that matter.
- The resolution operates as an abdication or surrender of the power of the state legislature with respect to that matter, and it is placed entirely in the hands of Parliament, which alone can then legislate with respect to it.
- Some examples of laws passed under the above provision are the Prize Competition Act, 1955; the Wildlife (Protection) Act, 1972; the Water (Prevention and Control of Pollution) Act, 1974; the Urban Land (Ceiling and Regulation) Act, 1976; and the Transplantation of Human Organs Act, 1994

As per Articles 356 & 357(1)(a): When the President's rule is imposed in a state, the Parliament becomes empowered to make laws with respect to any matter in the State List in relation to that state. **So, Statement 3 is correct.**

- A law made so by the Parliament continues to be operative even after the president's rule. This means that the period for which such a law remains in force is not coterminous with the duration of the President's rule.
- But, such a law can be repealed, altered or re-enacted by the state legislature.

ADDITIONAL INFORMATION:

PARLIAMENTARY LEGISLATION IN THE STATE FIELD	
During the National Emergency	➤ The Parliament acquires the power to legislate with respect to goods and services tax or matters in the State List, while a proclamation of national emergency is in operation. ➤ The laws become inoperative on the expiration of six months after the emergency has ceased to operate. ➤ Here also, the power of a state legislature to make laws on the same matter is not restricted. But, in case of repugnancy between a state law and a parliamentary law, the latter is to prevail.

To Implement International Agreements	➤ The Parliament can make laws on any matter in the State List for implementing the international treaties, agreements or conventions. ➤ This provision enables the Central government to fulfil its international obligations and commitments. ➤ Some examples of laws enacted under the above provision are the United Nations (Privileges and Immunities) Act, 1947; Geneva Convention Act, 1960; Anti-Hijacking Act, 1982 and legislation relating to environment and TRIPS.
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23. With reference to 15th Finance Commission, consider the following statements:

1. The period of recommendations of the 15th Finance Commission is valid for the period 2020–2026.
2. It recommended a vertical devolution of 42% of the divisible pool of Central taxes to the States.
3. The recommendations of the Finance Commission are binding on the Government of India.

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

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

EXPLANATION:

The Finance Commission is a constitutional body formed by the President of India to give suggestions on centre-state financial relations.

- Article 280(1) of the Constitution lays down that the modalities for setting up of a Finance Commission to make recommendation on the distribution of net proceeds of taxes between the Union and the States, allocation between the States of respective Shares of such proceeds, grants-in-aid, and the revenues of the States and measures needed to supplement the resources of the Panchayats during the award period.
- The Fifteenth Finance Commission was constituted on November 27, 2017. It made recommendations covering the period of six years commencing on 1st April 2020 through its Interim and Final Reports. The recommendations of the Fifteenth Finance Commission are valid up to the financial year 2025-26. **So, Statement 1 is correct.**

Share of states in central taxes:

- The share of states in the central taxes for the 2021-26 period is recommended to be 41%, the same as that for 2020-21. It is at the same level of 42 per cent of the divisible pool as recommended by the 14th Finance Commission for the 2015-20 period.
- However, it has made the required adjustment of about 1 per cent due to the changed status of the erstwhile State of Jammu and Kashmir into the new Union Territories of Ladakh and Jammu and Kashmir.

Thus, a vertical devolution of 42% of the divisible pool of Central taxes to the States is recommended by the 14th Finance Commission for the 2015-20 period. **So, Statement 2 is not correct.**

The formation of the Finance Commission is a necessary requirement for maintaining the financial balance between the Centre and the states. The Finance Commission is an instrument to correct regional imbalances. It has been playing a vital role as a Centre State coordinating agency.

- Though the Constitution nowhere lays down that the recommendations of the Commission are binding on the Government, the union government is apt to accept its recommendations.

The Finance Commission are only advisory in nature and hence, not binding on the Government. **So, Statement 3 is not correct.**

ADDITIONAL INFORMATION:

16th FINANCE COMMISSION	
About	➤ The Finance Commission normally takes about two years to make their recommendations. As per the clause (1) of article 280 of the Constitution, the Finance Commission is to be constituted every fifth year or earlier. ➤ However, as the recommendations of the 15th FC cover the six-year period up to 31st March 2026, the 16th FC is proposed to be constituted now. This will enable the Finance Commission to consider and appraise the finances of the Union and the States for the period immediately, preceding the period of its recommendations. ➤ In this context, it is pertinent to mention that there are precedents where the Eleventh Finance Commission was constituted six years after the Tenth Finance Commission. Similarly, the Fourteenth Finance Commission was constituted five years and two months after the Thirteenth Finance Commission. ➤ The Advance Cell of the 16th FC was formed in Ministry of Finance on 21.11.2022, to oversee preliminary work, pending formal constitution of the Commission. Terms of Reference for the Sixteenth Finance Commission: ➤ The Finance Commission shall make recommendations as to the following matters, namely: ➤ The distribution between the Union and the States of the net proceeds of taxes which are to be, or may be, divided between them under Chapter I, Part XII of the Constitution and the allocation between the States of the respective shares of such proceeds; ➤ The principles which should govern the grants-in-aid of the revenues of the States out of the Consolidated Fund of India and the sums to be paid to the States by way of grants-in-aid of their revenues under article 275 of the Constitution for the purposes other than those specified in the provisos to clause (1) of that article; ➤ The measures needed to augment the Consolidated Fund of a State to supplement the resources of the Panchayats and Municipalities in the State on the basis of the recommendations made by the Finance Commission of the State.

24. Which of the following correctly describes the distribution of legislative powers under the Government of India Act, 1935?

- (a) It introduced a twofold distribution - Federal and Provincial Lists with residuary powers vested in the provinces.
- (b) It provided for a threefold distribution - Federal, Provincial, and Concurrent Lists with residuary powers vested in the Governor-General.**
- (c) It followed the U.S. model by vesting residuary powers in the provinces.
- (d) It created a single list of Union subjects, leaving all other matters to the provinces.

EXPLANATION:

The Government of India Act was passed by the British Parliament in 1935 and came into effect in 1937.

- It was based on a report by a Joint Select Committee, led by Lord Linlithgow, which set up the two houses of the British parliament.

- The report, in turn, was the result of the Joint Committee's scrutiny of the 'White Paper' – a scheme of constitutional proposals – prepared by the British government close on the heels of the Round Table conferences.
- The Government of India Act of 1935 provided for a three-fold enumeration, viz., federal, provincial and concurrent.
- The present Constitution follows the scheme of this act, but with one difference, that is, under this act, the residuary powers were given neither to the federal legislature nor to the provincial legislature, but to the Governor-General of India.
- In this respect, India follows the Canadian precedent by vesting residuary power with the Union government. **So, Option (b) is correct.**

ADDITIONAL INFORMATION:

GOVERNMENT OF INDIA ACT OF 1935	
Provisions	➤ It provided for the establishment of an All-India Federation consisting of provinces and princely states as units. ➤ The Act divided the powers between the Centre and units in terms of three lists– Federal List (for Centre, with 59 items), Provincial List (for provinces, with 54 items) and the Concurrent List (for both, with 36 items). Residuary powers were given to the Viceroy. However, the federation never came into being as the princely states did not join it. ➤ It abolished dyarchy in the provinces and introduced 'provincial autonomy' in its place. The provinces were allowed to act as autonomous units of administration in their defined spheres. Moreover, the Act introduced responsible Governments in provinces, that is, the Governor was required to act with the advice of ministers responsible to the provincial legislature. This came into effect in 1937 and was discontinued in 1939. ➤ It provided for the adoption of dyarchy at the Centre. Consequently, the federal subjects were divided into reserved subjects and transferred subjects. However, this provision of the Act did not come into operation at all. ➤ It introduced bicameralism in six out of eleven provinces. Thus, the legislatures of Bengal, Bombay, Madras, Bihar, Assam and the United Provinces were made bicameral, consisting of a legislative council (upper house) and a legislative assembly (lower house). However, many restrictions were placed on them. ➤ It further extended the principle of communal representation by providing separate electorates for depressed classes (Scheduled Castes), women and labour (workers). ➤ It abolished the Council of India, established by the Government of India Act of 1858. The Secretary of State for India was provided with a team of advisors. ➤ It extended the franchise. About 10 per cent of the total population got the voting right. ➤ It provided for the establishment of a Reserve Bank of India to control the currency and credit of the country. ➤ It provided for the establishment of not only a Federal Public Service Commission, but also a Provincial Public Service Commission and a Joint Public Service Commission for two or more provinces. ➤ It provided for the establishment of a Federal Court, which was set up in 1937.

25. Consider the following pairs:

Sl. no.	Amendment Act		Provision
1.	100 th Amendment Act	-	Empowers the state to make special provision for the advancement of economically weaker sections of citizens.
2.	101 st Amendment Act	-	Implementation of the India-Bangladesh Land Boundary Agreement
3.	102 nd Amendment Act	-	Gave constitutional status to the National Commission for Backward Classes (NCBC)
4.	103 rd Amendment Act	-	Introduction of the Goods and Services Tax (GST)

How many of the above pairs is/are correct?

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

EXPLANATION:

The 100th Amendment Act of 2015 (India-Bangladesh Land Boundary Agreement):

- It gave effect to the acquiring of certain territories (enclaves) by India and the transfer of certain other territories to Bangladesh (through the exchange of enclaves and retention of adverse possessions) in pursuance of the Land Boundary Agreement of 1974 and its protocol of 2011.
- Conferring citizenship rights to enclave residents arising from the signing of the Treaty of Land Boundary Agreement (LBA) between India and Bangladesh.
- For these three purposes, the amendment modified the provisions relating to the territories of four states (Assam, West Bengal, Meghalaya and Tripura) in the First Schedule of the Constitution. **So, Pair 1 is not correct.**

The 101st Amendment Act, 2016 (Goods and Services Tax - GST):

- It marks a significant milestone in the history of India's taxation system. It introduced the Goods and Services Tax (GST), a comprehensive indirect tax reform aimed at creating a unified national market by subsuming multiple indirect taxes levied by both the Union and the States.
- This amendment has not only streamlined the tax structure but also altered the dynamics of fiscal federalism in India by establishing new institutional mechanisms for cooperation between the Centre and States.
- The amendment inserted a new Article 279-A in the Constitution. This Article empowered the President to constitute a GST Council by an order. **So, Pair 2 is not correct.**

The 102nd Amendment Act, 2018 (special powers to the commission- NCBC):

- Through the 102nd Constitution Amendment, Parliament created a National Backward Classes Commission, vesting it with the power to be consulted by the Centre as well as the States in all matters concerning the 'socially and educationally backward classes' (SEBCs).
- Thus, under Article 342A, it was laid down that the President shall notify a list of SEBCs in relation to each State and Union Territory in consultation with the Governors. This was called the 'Central List', and once it is notified, only Parliament alone could make changes to it. **So, Pair 3 is correct.**

The 103rd Amendment Act, 2019 (Reservation to the economically weaker sections-EWS):

- The Act amends two of the Fundamental Rights falling under Article 15 and Article 16 of the Indian Constitution. The two articles form the substructure of the reservation system in fields concerning education and employment opportunities in the public sector.
- The amendments in the two articles "empower the state to provide for a maximum of 10% reservation to the economically weaker sections (EWS) of the society.
- This has shot up the total reservation to 59.90% besides the existing scheme. **So, Pair 4 is not correct.**

ADDITIONAL INFORMATION:

RECENT CONSTITUTIONAL AMENDMENT ACT																	
104th Constitutional Amendment Act	The 104th Constitutional Amendment Act, 2019, amended Article 334 of the Constitution. The amendment extended the reservation of seats for Scheduled Castes and Scheduled Tribes in the Lok Sabha (the lower house of Parliament) and State Legislative Assemblies. ➤ Extension of Reservation for SCs and STs: The deadline for reservation of seats was extended by ten years, allowing SCs and STs to continue enjoying reserved seats in Parliament and State Assemblies until 25 January 2030. ➤ Abolition of Anglo-Indian Nominations: The reserved seats for Anglo-Indians and their nomination to legislative bodies were discontinued. This decision was based on the significant decline in the population of Anglo-Indians in India.																
105th Constitutional Amendment Act	105th Constitutional Amendment Act, 2021 ➤ This amendment plays a crucial role in restoring the powers of State Governments to recognise Socially and Educationally Backward Classes (SEBCs), popularly known as Other Backward Classes (OBCs). ➤ It came into being following a landmark Supreme Court judgement that significantly curtailed State powers in this domain, leading to political and social debates necessitating a constitutional correction. The 105th Amendment was introduced to correct the constitutional imbalance created by the Supreme Court's interpretation of the 102nd Amendment. <table border="1"> <thead> <tr> <th>Aspect</th><th>102nd Amendment (2018)</th><th>105th Amendment (2021)</th></tr> </thead> <tbody> <tr> <td>• Recognition authority</td><td>Central Government exclusive</td><td>Both Central and State Governments</td></tr> <tr> <td>• NCBC consultation scope</td><td>Applies to all SEBC matters</td><td>Applies only to Central List</td></tr> <tr> <td>• State SEBC lists</td><td>Not expressly protected</td><td>Explicitly protected and recognised</td></tr> <tr> <td>• Effect on federal balance</td><td>Centralised power, curtailed States</td><td>Restores federal balance, empowers States</td></tr> </tbody> </table>		Aspect	102nd Amendment (2018)	105th Amendment (2021)	• Recognition authority	Central Government exclusive	Both Central and State Governments	• NCBC consultation scope	Applies to all SEBC matters	Applies only to Central List	• State SEBC lists	Not expressly protected	Explicitly protected and recognised	• Effect on federal balance	Centralised power, curtailed States	Restores federal balance, empowers States
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• Effect on federal balance	Centralised power, curtailed States	Restores federal balance, empowers States															

26. With reference to the 106th Constitutional Amendment Act, 2023, consider the following statements:

1. The Act provides for reservation of seats for women in Parliament and State Assemblies.
2. The reservation shall cease to have effect on the expiration of a period of ten years from such commencement.
3. The amendment provides for rotation of seats reserved for women after each delimitation.

Which of the statements given above is/are correct?

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

EXPLANATION:

The 106th Constitutional Amendment Act, 2023, also known as the Women's Reservation Bill or Nari Shakti Vandan Adhiniyam, is a landmark legislation in India that reserves **one-third (33%) of seats** for women in the Lok Sabha, State Legislative Assemblies, and the Delhi Legislative Assembly.

- This reservation also includes one-third of seats reserved for Scheduled Castes (SCs) and Scheduled Tribes (STs).

- The Act aims to improve women's representation in legislative bodies, addressing a long-standing demand for gender equality in politics.
- To implement these reservations, three new articles were inserted into the Constitution:
 - **Article 330A:** Provides for the reservation of seats for women in the Lok Sabha. (not in Rajya Sabha)
 - **Article 332A:** Provides for the reservation of seats for women in State Legislative Assemblies.
 - **Article 239AA(6):** Provides for the reservation of seats for women in the Legislative Assembly of the NCT of Delhi.

Thus, the Act provides for the reservation of seats for women in the Lok Sabha (not in the Rajya Sabha) and State Assemblies. **So, Statement 1 is not correct.**

The Women's Reservation will become operational only after the first census conducted following the commencement of the Act is completed and its figures are published.

- Based on the census, delimitation will be undertaken to reserve seats for women. The reservation will be provided for a period of 15 years. **So, Statement 2 is not correct.**
- However, it shall continue till such date as determined by a law made by Parliament.
- Seats reserved for women will be rotated after each delimitation, as determined by a law made by Parliament. **So, Statement 3 is correct.**

ADDITIONAL INFORMATION:

DELIMITATION	
About	➤ Delimitation means the process of fixing the number of seats and boundaries of territorial constituencies in each State for the Lok Sabha and Legislative assemblies. ➤ It also includes determining the seats to be reserved for Scheduled Castes (SC) and Scheduled Tribes (ST) in these houses. ➤ Articles 82 and 170 of the Constitution provide that the number of seats in the Lok Sabha and State Legislative assemblies, as well as their division into territorial constituencies, shall be readjusted after each Census. This 'delimitation process' is performed by the 'Delimitation Commission' that is set up under an act of Parliament. ➤ Such an exercise was carried out after the 1951, 1961 and 1971 Censuses.
Constitutional Requirement	➤ 'Democracy' means 'rule or government by the people'. It follows that the Government is elected by a majority with the broad principle of 'one citizen-one vote-one value'. ➤ The number of seats in the Lok Sabha based on the 1951, 1961 and 1971 Census was fixed at 494, 522 and 543, when the population was 36.1, 43.9 and 54.8 crore, respectively. This broadly translates to an average population of 7.3, 8.4 and 10.1 lakh per seat, respectively. ➤ However, it has been frozen as per the 1971 Census in order to encourage population control measures so that States with higher population growth do not end up having a higher number of seats. ➤ This was done through the 42nd Amendment Act till the year 2000 and was extended by the 84th Amendment Act till 2026. Hence, the population based on which the number of seats is allocated refers to the population as per the 1971 Census. This number will be re-adjusted based on the first Census after 2026. ➤ The boundaries of territorial constituencies were readjusted (without changing the number of seats), and seats for SC and ST were determined as per the 2001 Census and will again be carried out after 2026.

- In a normal course of events, the delimitation process for the number of seats, boundaries of territorial constituencies and determining the reserved seats for SC and ST would have happened based on the Census of 2031, as it would have been the first Census after 2026. However, with the 2021 Census now being postponed and the year 2026 nearing, there have been talks about the impending delimitation exercise.

27. Consider the following provisions:

1. It provided for the creation of the All-India Judicial Service.
2. It provided for administrative tribunals and tribunals for other matters.
3. It deleted the right to property from the list of Fundamental Rights.

Which of the above were undertaken under the 42nd Constitutional Amendment Act, 1976?

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

EXPLANATION:

The 42nd Amendment, passed in 1976 during the Emergency, was one of the most far-reaching changes to the Indian Constitution. Because of its scale and impact, it came to be known as the “Mini-Constitution.”

It sought to strengthen the executive and alter the constitutional framework in ways many considered an attempt to legitimise the misuse of power during the Emergency. The following are among the key Provisions Introduced or Altered :

- **All-India Judicial Service (AIJS) – Article 312**
- Article 312 allows the creation of All-India Services.
 - The 42nd Amendment modified it to include the possibility of creating an All-India Judicial Service (AIJS).
 - The AIJS would include posts not below the rank of District Judge (as per Article 236).
 - This aimed to standardise judicial appointments and strengthen judicial administration. **So, Statement 1 is correct.**
- **Tribunals – Part XIV-A (Articles 323A & 323B)**
- The amendment inserted Part XIV-A to establish administrative and other tribunals.
 - Article 323A: Administrative tribunals for service matters.
 - Article 323B: Tribunals for other specific subjects (e.g., taxation, land reforms).
 - Purpose: Faster, specialized adjudication and reduction of the burden on regular courts. **So, Statement 2 is correct.**

The 44th Amendment was enacted after the Emergency to restore democratic balance and undo many provisions of the 42nd Amendment. It aimed to re-establish the proper relationship among the executive, legislature, and judiciary. The following are some of the Major Changes made from the amendment:

- **Reversal of Excessive Centralisation:**
- Many provisions of the 42nd Amendment were rolled back to prevent over-centralisation of power and protect citizens’ rights.
- **Changes to Fundamental Rights – Right to Property**
- Before the amendment, the Right to Property was a Fundamental Right under: Article 19(1)(f) and Article 31
 - The 44th Amendment removed it from Fundamental Rights and made it a legal right under Article 300A.
 - Article 300A now says: “No person shall be deprived of his property except by authority of law.”

- This reduced excessive litigation and aimed to prevent arbitrary state action while balancing judicial review.

Therefore, it is 44th (not 42nd) Constitutional Amendment Act that deleted the right to property from the list of Fundamental Rights. **So, Statement 3 is not correct.**

ADDITIONAL INFORMATION:

- KEY PROVISIONS OF 42ND AMENDMENT ACT	
Amendments to the Preamble	➤ Added “Socialist” and “Secular”: Reflecting the socio-political ideology of the time, these words were incorporated to signify a commitment to social justice and religious neutrality. ➤ Modified National Unity Terminology: The phrase “unity of the nation” was altered to “unity and integrity of the nation”, reinforcing the notion of a cohesive national identity.
(DPSP) - New Articles Introduced	➤ Article 39A: Mandates the provision of free legal aid to the poor and ensures equal justice for all. ➤ Article 43A: Aims to secure workers’ participation in the management of industries. ➤ Article 48A: Focuses on environmental protection and the preservation of forests and wildlife. ➤ Amendment to Article 39(f): This provision was revised to ensure that children receive opportunities to develop in a healthy environment with freedom and dignity, and to protect them from exploitation.
Introduction of Fundamental Duties	➤ Established Part IV-A: This part lists Fundamental Duties, outlining the moral obligations of every citizen towards the nation. ➤ Current Enactment: Today, the Constitution lists eleven Fundamental Duties, serving as a reminder that the exercise of rights is accompanied by civic responsibilities.
Seventh Schedule	➤ Redistribution of Subjects: Important subjects such as Education, Forests, Protection of Wild Animals and Birds, Weights and Measures, and the Administration of Justice (except for the Supreme Court and High Courts) were moved from the State List to the Concurrent List.
Parliament and the Executive	➤ Mandate on the President: The amendment made it a statutory requirement for the President to act on the advice of the Cabinet, formalising an established convention. ➤ Article 257A: This article empowered the central government to deploy central forces in states to maintain law and order, thereby reinforcing central control. ➤ Quorum and Privileges: The quorum requirements in both Parliament and state legislatures were abolished, and Parliament was given the power to decide the rights, privileges, and immunities of its members. ➤ Extension of Legislative Term: The term of the Lok Sabha and state legislative assemblies was extended from five years to six years, a provision later reversed by subsequent amendments.
Emergency Provisions	➤ Article 352 Revisited: The amendment allowed the declaration of a national emergency to apply either nationwide or in part of the country. ➤ Extended Duration for President’s Rule: It extended the duration for which President’s rule could be imposed in a state from six months to one year, thereby providing the central government with enhanced powers during periods of instability.

Suspension of Fundamental Rights	➤ Article 358: Under this provision, when an external emergency is declared, the rights enshrined in Article 19 are suspended across the country. In effect, this rendered emergency laws immune from judicial scrutiny, ensuring that the government's actions during an emergency could not be challenged in court.
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28. With reference to the recently concluded Special Intensive Revision (SIR) of electoral rolls in Bihar, consider the following statements:

1. The SIR has been successfully completed in Bihar, marking the first such large-scale revision since 2003.
2. It aimed to include all eligible voters and remove names of ineligible or duplicate electors.
3. Booth Level Officers (BLOs) conducted door-to-door verification of electors during the process.

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**

EXPLANATION :

The Special Intensive Revision (SIR) of electoral rolls in Bihar has been successfully completed.

- It was the first major revision since 2003, aimed at ensuring a comprehensive and updated voter list. The final roll was published on 1 October 2025. **So, Statement 1 is correct.**
- The objective of an intensified revision is to ensure that the names of all eligible citizens are included in the Electoral Roll (ER) so as to enable them to exercise their franchise, no ineligible voter is included in the electoral rolls and also to introduce complete transparency in the process of addition or deletion of electors in the electoral rolls. **So, Statement 2 is correct.**
- The Booth Level Officers (BLOs) shall be conducting a house-to-house survey for verification during the process of this intensive revision. **So, Statement 3 is correct.**

ADDITIONAL INFORMATION :

Special Intensive Revision (SIR) of Electoral Rolls	
About	➤ Reason for the SIR: Various reasons, such as rapid urbanisation, frequent migration, young citizens becoming eligible to vote, non-reporting of deaths and inclusion of the names of foreign illegal immigrants, have necessitated the conduct of an intensive revision so as to ensure integrity and preparation of error-free electoral rolls. ➤ While conducting the special revision, the ECI shall scrupulously adhere to the Constitutional and legal provisions regarding eligibility to be registered as a voter and disqualifications for registration in an electoral roll, which are clearly laid down in Article 326 of the Constitution of India and Section 16 of the Representation of the People Act, 1950, respectively. ➤ Under Section 23 of the Representation of the People Act, 1950, the Electoral Registration Officer (ERO) is responsible for verifying the eligibility of applicants seeking enrolment as electors. Traditionally, this verification was based on the ERO's satisfaction after examining the submitted documents. ➤ To strengthen transparency and accountability, the Election Commission has mandated that all supporting documents used for such verification be uploaded on ECINET. These documents, however, remain accessible only to authorised election officials, ensuring compliance with privacy and data-protection concerns.

	➤ Suppose political parties or electors raise any claims or objections regarding an entry in the electoral roll. In that case, the Assistant Electoral Registration Officer (AERO) must conduct an inquiry before the ERO records final satisfaction. ➤ Further, under Section 24, any person aggrieved by the ERO's decision may file an appeal before the District Magistrate or the Chief Electoral Officer. This mechanism ensures procedural fairness and provides a transparent, multi-layered system for electoral roll management.
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29. The cabinet form of government means:

- (a) **A system of government marked by the existence of a group that collectively decides on government policies and is also collectively responsible to the Parliament.**
- (b) A form of government in which the Cabinet is supreme and independent from other organs of the State.
- (c) A form of government in which all members of the Cabinet are popularly elected on the basis of universal adult franchise.
- (d) A form of government in which the President, and not the Prime Minister, who presides over the Cabinet meetings for the reason that he is directly elected by the people.

EXPLANATION:

The parliamentary system of government, also known as the cabinet form of government in which a group of ministers (the Cabinet) collectively decides the policies of the government and is collectively responsible to the Parliament for its actions and decisions.

In this system, citizens elect representatives to the legislature (Parliament), which in turn forms the executive. The Cabinet, headed by the Prime Minister, is drawn from the members of the legislature and is collectively responsible to it.

Key Features

- **Collective Decision-Making:** The Cabinet, led by the Prime Minister, is the chief decision-making body. All ministers must publicly support Cabinet decisions, even if they disagreed privately — the government must “speak with one voice.”
- **Collective Responsibility:** The Cabinet and the Council of Ministers are jointly accountable to Parliament. They act as a team and “swim or sink together.” This principle of collective responsibility allows the Lok Sabha (in India) or the House of Commons (in the UK) to remove the government by passing a vote of no confidence.
- **Accountability and Confidence:** The government continues in office only while it enjoys majority support in the legislature. A no-confidence vote leads to the resignation of the entire Cabinet.
- **Executive-Legislature Link:** The system ensures a strong interdependence between the executive (Cabinet) and the legislature (Parliament) — unlike the presidential system, where the two branches are separate and independent. **So, Option (a) is correct.**

ADDITIONAL INFORMATION:

FEATURES OF PARLIAMENTARY GOVERNMENT	
About	Nominal and Real Executives: ➤ The President is the nominal executive (de jure or titular executive), while the Prime Minister is the real executive (de facto executive). Thus, the President is the Head of State, whereas the Prime Minister is the Head of Government. ➤ Article 74 provides for a Council of Ministers, headed by the Prime Minister, to aid and advise the President in the exercise of his functions. The advice so tendered is binding on the President.

Majority Party Rule:

- The political party that secures a majority of seats in the Lok Sabha forms the government. The leader of that party is appointed Prime Minister by the President, and other ministers are appointed on the advice of the Prime Minister.
- When no single party obtains a majority, the President may invite a coalition of parties to form the government.

Collective Responsibility:

- This is the bedrock principle of the parliamentary system. The Council of Ministers is collectively responsible to the Parliament, particularly to the Lok Sabha (Article 75). They act as a team and “swim or sink together.”
- This principle implies that the Lok Sabha can remove the ministry (i.e., the Council of Ministers headed by the Prime Minister) by passing a vote of no confidence.

Political Homogeneity:

- Usually, members of the Council of Ministers belong to the same political party and therefore share a common political ideology.
- In the case of a coalition government, ministers from different parties are bound by consensus.

Double Membership

- Ministers are members of both the legislature and the executive. A person cannot continue as a minister without being a member of Parliament.
- According to the Constitution, a minister who is not a member of Parliament for six consecutive months ceases to hold office.

Leadership of the Prime Minister

- The Prime Minister plays a central leadership role in this system of government. He is the leader of the Council of Ministers, the leader of the Parliament, and the leader of the party in power.
- In these capacities, he exercises significant influence over the functioning of the government.

Dissolution of the Lower House

- The Lok Sabha (the lower house of Parliament) can be dissolved by the President on the recommendation of the Prime Minister.
- In other words, the Prime Minister can advise the President to dissolve the Lok Sabha before the expiry of its term and hold fresh elections. This means the executive has the power to dissolve the legislature in a parliamentary system.

Secrecy

- Ministers operate under the principle of secrecy of proceedings and cannot disclose information about their discussions, policies, or decisions. They take an oath of secrecy before assuming office, administered by the President.

30. Consider the following statements:

1. The President has the right to elicit any specific information from the Council of Ministers.
2. The President can direct that any matter on which a decision has been taken by a Minister should be placed before the Council of Ministers.
3. The President can call for information relating to proposals for legislation.
4. All decisions of the Council of Ministers relating to the administration of the Union must be communicated to the President.

Which of the statements given above are correct?

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

EXPLANATION:

The President can request information from the Council of Ministers under Article 78 of the Constitution. This allows the President to stay informed about Union matters and ensure that all decisions of the Council are communicated. According to the duties of the Prime Minister in relation to the President (Article 78). The Prime Minister is responsible for:

- **Communicating Decisions:** Informing the President of all decisions of the Council of Ministers concerning the administration of the Union and proposals for legislation.
- **Providing Information on Request:** Supplying the President with any information regarding administration or legislative proposals that the President may request.
- **Submitting Matters to the Council:** Placing before the Council of Ministers any matter already decided by a Minister but not yet considered by the Council, if the President so requires. **So, Statements 1 and 4 are correct**

Under Article 78 of the Indian Constitution, the President has certain powers to stay informed about the administration and legislative business of the Union. Accordingly, the President of India can;

- Seek any information relating to the administration of affairs of the Union, and proposals for legislation from the Prime Minister as per article 78(b). **So, Statement 3 is correct.**
- Require the Prime Minister to submit, for consideration of the Council of ministers, any matter on which a decision has been taken by a minister but, which has not been considered by the Council. **So, Statement 2 is correct.**

31. Consider the following statements:

1. The Vice-President may, by writing under his hand addressed to the President, resign his office. This provision does not require parliamentary approval and takes effect immediately upon receipt by the President.
2. An election to fill a vacancy caused by the expiration of the term of office of Vice-President shall be held before the expiration of the term.
3. The Vice-President shall, notwithstanding the expiration of his term, continue to hold office until his successor enters upon his office.

Which of the statements given above are correct?

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

EXPLANATION:

Article 67 of the Indian Constitution deals with the term of office of the Vice-President, and conditions of holding office.

- The Vice-President of India holds office for five years from the date he assumes office.
- He can resign at any time by submitting a written resignation to the President. This does not require parliamentary approval or any prior permission for the resignation to take effect.

On the other hand, the Vice President can also be removed before completing his term through a resolution passed by a majority of all members of the Rajya Sabha and agreed to by the Lok Sabha. This means:

- The Rajya Sabha must pass the resolution by an effective majority (a type of special majority).
- The Lok Sabha must approve it by a simple majority.
- The resolution can only be introduced in the Rajya Sabha, not the Lok Sabha.
- At least 14 days' notice is required before moving the resolution.
- The Constitution does not specify any grounds for removal.

The Vice-President can continue in office beyond five years until a successor takes charge. He is also eligible for reelection and can serve any number of terms. **So, Statement 1 is correct.**

According to Article- 66 of the Indian constitution, the Vice-President of India is elected by an Electoral College, which consists of all members of the Lok Sabha and Rajya Sabha, including both elected and nominated members.

- As per the article 67, The Vice-President holds office for a term of five years from the date he assumes office. However, even after the expiration of his term, he continues to hold office until his successor assumes charge.
- In the event of the death, removal, or resignation of the Vice-President, the Constitution does not provide any method of succession, except by holding a fresh election.
- In such cases, the Deputy Chairman can function as the Chairman of the Rajya Sabha. **So, Statement 3 is correct.**

According to Article 68(1) of the Constitution of India, an election to fill the vacancy caused by the expiration of the term of office of the outgoing Vice-President is required to be completed before the expiration of the term.

- Article 68(2) states that an election to fill a vacancy in the office of Vice-President occurring by reason of his death, resignation or removal, or otherwise shall be held as soon as possible after the occurrence of the vacancy.
- The person elected to fill the vacancy shall, subject to the provisions of article 67, be entitled to hold office for the full term of five years from the date on which he enters upon his office. **So, Statement 2 is correct.**

ADDITIONAL INFORMATION:

VICE PRESIDENT OF INDIA	
About	➤ Article 63 of the Constitution of India provides for the office of the Vice-President of India. ➤ Articles 64 and 89(1) state that the Vice-President shall be the ex officio Chairman of the Council of States (Rajya Sabha) and shall not hold any other office of profit. ➤ In the constitutional framework, the Vice-President holds a dual role: part of the Executive and, as Chairman of the Rajya Sabha, part of Parliament, with two distinct and separate offices.
Eligibility	To be eligible for election as Vice-President, a person should fulfil the following qualifications: ➤ Must be a citizen of India. ➤ Must be at least 35 years old. ➤ Must be qualified for election as a member of the Rajya Sabha. ➤ Must not hold any office of profit under the Union, any state government, local authority, or any public authority. Exceptions: A sitting President or Vice-President, a Governor, or a Union or State Minister is not considered to hold an office of profit and is eligible to contest.
Functions of the Vice-President	➤ Acts as the ex officio Chairman of the Rajya Sabha, with powers and functions similar to those of the Speaker of the Lok Sabha. ➤ Resembles the American Vice President, who serves as the Chairman of the Senate. ➤ Acts as President in case of a vacancy due to resignation, impeachment, death, or otherwise, but only for a maximum of six months, within which a new President must be elected.

	➤ Discharges the functions of the President temporarily when the sitting President is unable to perform duties due to absence, illness, or other reasons, until the President resumes office.
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32. With reference to the constitutional scheme for resolving conflicts between the Union List, State List, and Concurrent List under Article 246 and Article 254, consider the following statements:

1. If a Union List entry conflicts with a State List entry, the Union List prevails.
2. If a Union List entry conflicts with a Concurrent List entry, the Concurrent List prevails.
3. If a State List entry conflicts with a Concurrent List entry, the Concurrent List prevails.
4. A State law inconsistent with a Central law on a Concurrent List subject becomes valid in that State if it receives Presidential assent.

Which of the above statements are correct?

(a) 1, 3 and 4 only

(b) 1 and 2 only

(c) 2, 3 and 4 only

(d) 1, 2, 3 and 4

EXPLANATION:

Article 246 of the Constitution of India confers exclusive power on Parliament and the State Legislature to legislate with respect to the matters provided for in the Union List and the State List in Schedule VII, respectively.

With respect to the matters provided for in List III, namely, the Concurrent List, both Parliament and the State Legislatures possess the competency to enact laws. The non obstante clause in Article 246 brings to facade the principle of federal supremacy implying that

- In case of an inevitable conflict between the Union and the State powers, the power of the Union under List I shall prevail over the State powers under Lists II and III. In other words,
 - If a Union List entry conflicts with a State List entry, the Union List prevails. **So, Statement 1 is correct**
 - If a Union List entry conflicts with a Concurrent List entry, the Union List prevails. **So, Statement 2 is not correct.**
- In case of overlapping between Lists III (Concurrent List) and II (State List), the power of Parliament under the Concurrent List shall prevail. **So, Statement 3 is correct.**

Article 254 of the Constitution, which is modelled on Section 107 of the Government of India Act, 1935, is hailed as the article incorporating the doctrine of repugnancy under the Constitution.

- Article 254(1) lays down the general rule that in the event of a conflict between a Union law and a State law enacted under the Concurrent List, the Union shall prevail, and the State law shall be void to the extent of repugnancy. This is irrespective of whether the Union law was enacted prior to or later than the State law.
- However, Article 254(2) provides an exceptional situation where, in a law made by the State Legislature, though repugnant to the parliamentary law enacted under the Concurrent List, it shall continue to prevail in the State concerned. This is when the law made by the State Legislature has been reserved for the consideration of the President and has received his assent. **So, Statement 4 is correct.**
- The aforesaid exception is followed by a caveat that Parliament retains the competency to enact a law with respect to the same matter including a law that adds to, amends, varies, or repeals the law made by the State Legislature afterwards.

33. Consider the following statements with respect to the powers enjoyed by the Governor of a state in India:

1. He addresses the Legislative Assembly of the State at the commencement of the first session of each year.
2. He can send a message to the Legislative Assembly with respect to a Bill pending in the Assembly at that time.
3. He can summon, prorogue, and dissolve the legislative Assembly of the State.
4. He can either give his assent to the Bill or reserve it for the President's consideration if it seeks to curtail the powers of the State High Court.

Which of the statements given above are correct?

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

EXPLANATION:

A Governor is an integral part of the State Legislature. In that capacity, he has the following legislative powers and functions:

- According to Article 174, he can summon or prorogue the State Legislature and dissolve the State Legislative Assembly. **So, Statement 3 is correct.**
- Article 175 empowers the Governor to send messages to one or both Houses of the State Legislature with respect to a Bill pending in the Legislature or on any other matter. **So, Statement 2 is correct.**
- According to Article 176, he addresses the State Legislature at the commencement of the first session after each general election and at the first session of every year. **So, Statement 1 is correct.**

According to Article 200, when a Bill is presented to the Governor after being passed by the State Legislature, he may:

- Give his assent to the Bill, or
- Withhold assent, or
- Return the Bill (if it is not a Money Bill) for reconsideration. If the Legislature passes it again, with or without amendments, the Governor must give assent, or
- Reserve the Bill for the consideration of the President.

In one case, reservation of the bill is mandatory if it affects or endangers the powers and position of the State High Court. Additionally, the Governor may reserve a Bill if it is:

- Ultra vires (violates the Constitution),
- Contrary to the Directive Principles of State Policy,
- Against the larger national interest,
- Of grave national importance, or
- Related to compulsory acquisition of property under the Constitution.

Therefore, the Governor cannot give assent to a Bill that curtails the powers of the State High Court. Such a Bill must be reserved for the President. **So, Statement 4 is not correct.**

ADDITIONAL INFORMATION:

POWERS AND FUNCTIONS OF THE GOVERNOR	
Legislative Powers of the Governor	➤ Presiding Officers (Article 180) The Governor can appoint a member of the Legislative Assembly to preside over its proceedings when both the Speaker and Deputy Speaker posts are vacant. Similarly, he can appoint a member of the Legislative Council to preside when both the Chairman and Deputy Chairman posts are vacant. ➤ Nomination to the Legislative Council (Article 171)

	• The Governor nominates one-sixth of the members of the Legislative Council. • These nominees must have special knowledge or practical experience in Literature, Science, Art, Cooperative movement, Social service. ➤ Nomination to the Legislative Assembly (Article 333) • The Governor can nominate one member from the Anglo-Indian community to the Legislative Assembly (applicable only if the community is inadequately represented). ➤ Disqualification of Members (Article 192) • The Governor decides questions related to disqualification of members of the State Legislature. • This decision must be taken after consulting the Election Commission of India. ➤ Ordinance making power: (Article 213) • It empowers the Governor to promulgate ordinances when the Legislature is not in session. • These ordinances must be approved by the Legislature within six weeks of reassembly. • The Governor may also withdraw an ordinance at any time. This is one of his most important legislative powers. • He lays before the State Legislature the reports of the State Finance Commission, the State Public Service Commission, and the Comptroller and Auditor General relating to the accounts of the State.
Executive Powers of the Governor	The executive powers and functions of the Governor are: ➤ All executive actions of the State Government are formally carried out in the Governor's name. ➤ The Governor can make rules on how orders and official documents issued in his name should be authenticated. ➤ He can frame rules for the smooth conduct of government business and for allocating work among ministers. ➤ He appoints the Chief Minister and other ministers, who hold office during his pleasure. ➤ He must also appoint a Tribal Welfare Minister in Chhattisgarh, Jharkhand, Madhya Pradesh, and Odisha. ➤ He appoints the Advocate General of the state and decides his salary; the Advocate General serves at the Governor's pleasure. ➤ He appoints the State Election Commissioner and decides their service conditions; however, the Commissioner can be removed only like a High Court judge. ➤ He appoints the Chairman and members of the State Public Service Commission, but they can be removed only by the President, not the Governor. ➤ He may request any information from the Chief Minister about the administration or any legislative proposals.

34. When no party has a clear majority in the State Legislative Assembly, the principal consideration governing the Governor's choice of the Chief Minister is:

- (a) **The ability of the person who is most likely to command a stable majority in the House.**
- (b) The largest political party in the Legislative Assembly.
- (c) The Combination of several parties as a unit.
- (d) The loyalty and support of the party members to their respective party programmes and policies.

EXPLANATION:

The Constitution does not specify a detailed procedure for selecting the Chief Minister; Article 164 only states that the Chief Minister shall be appointed by the Governor.

However, the Governor cannot appoint anyone arbitrarily. By convention, the Governor appoints the leader of the majority party in the Legislative Assembly.

When no party has a clear majority, the Governor may exercise discretion and usually appoints the leader most likely to command a stable majority, which could be the leader of a coalition or even a smaller party able to secure support from others.

The appointed Chief Minister is then required to seek a vote of confidence in the Assembly within a month.

The aim is to ensure a stable and functional government, rather than merely selecting the largest party's leader, as seen in the cases of H.D. Deve Gowda and Nitish Kumar. **So, Option (a) is correct.**

ADDITIONAL INFORMATION:

GOVERNOR'S DISCRETION APPOINTMENT OF CHIEF MINISTER	
About	➤ The Governor may have to exercise his individual judgment in the selection and appointment of the Chief Minister when the Chief Minister in office dies suddenly and there is no obvious successor. ➤ However, on the death of a Chief Minister, the ruling party usually elects a new leader, and the Governor has no choice but to appoint him as Chief Minister. ➤ The Constitution does not require that a person prove his majority in the legislative assembly before he is appointed as the Chief Minister. ➤ The Governor may first appoint him as the Chief Minister and then ask him to prove his majority in the legislative assembly within a reasonable period. This is what has been done in a number of cases. ➤ A person who is not a member of the state legislature can be appointed as Chief Minister for six months, within which time, he should be elected to the state legislature, failing which he ceases to be the Chief Minister. ➤ According to the Constitution, the Chief Minister may be a member of any of the two Houses of a state legislature. ➤ Usually, Chief Ministers have been selected from the Lower House (legislative assembly), but, on a number of occasions, a member of the Upper House (legislative Council) has also been appointed as Chief Minister.

35. Match List-I with List-II and select the correct answer using the code given below:

	List I		List I
(A)	The Speaker	1.	Fixes the time limit for the discussion of Demands
(B)	The Finance Minister	2.	Examines the financial operation of the executives
(C)	The President	3.	Causes the annual financial statement to be laid before the Parliament
(D)	The Comptroller and Auditor General of India	4.	Oversees the country's fiscal policy

Codes :

	A	B	C	D
(a)	1	4	3	2
(b)	4	1	2	3
(c)	1	4	2	3
(d)	4	1	3	2

EXPLANATION:

The Speaker of Lok Sabha: The Speaker is elected by the Legislative Assembly from among its members, as soon as possible after the first sitting

The Speaker's powers and duties come from three sources

- The Constitution of India
- The Rules of Procedure and Conduct of Business of the Legislative Assembly
- Parliamentary conventions (unwritten or residuary powers)

Budget Scrutiny in the Lok Sabha

- The main examination of the Budget in the Lok Sabha happens through General Discussion and Voting.
- The General Discussion takes place on a day after the Budget is presented.
- At this stage, the discussion is limited to the overall Budget and taxation policies.
- After the General Discussion, the House considers the Demands for Grants of different ministries.
- The Speaker allocates specific days or hours for these discussions.
- Since not all Demands can be discussed within the allotted time, the undiscussed Demands are put to vote by the Speaker without discussion. This process is called the "Guillotine." **(A-1)**

Finance Minister: The Ministry of Finance is a key ministry of the Government of India, responsible for managing the country's economic policy, public finances, and financial institutions.

- It prepares the Union Budget, formulates taxation policies, manages public debt, and oversees government expenditure and revenue.
- The ministry is headed by the finance minister, who is supported by the Minister of State for Finance, the Finance Secretary, and other senior officials.
- As the head of this ministry, the Finance Minister oversees and directs the country's fiscal policy by guiding decisions on taxation, government spending, and borrowing.
- By monitoring economic trends, coordinating with financial regulators, and framing policies that ensure financial stability, the finance minister plays a central role in promoting economic growth, controlling inflation, supporting employment, and ensuring long-term fiscal stability. **(B-4)**

Annual Financial Statement (Article 112): Under Article 112, the President must place before both Houses of Parliament an Annual Financial Statement (Budget) showing estimated receipts and expenditures for every financial year. The statement must separately show:

- Expenditure charged on the Consolidated Fund of India
- Other expenditure proposed to be made from the Consolidated Fund of India
- A distinction between revenue expenditure and other expenditure **(C-3)**

Comptroller and Auditor General of India: The Constitution of India under Article 148 provides for an independent office of the Comptroller and Auditor General of India (CAG)

- Article 148 establishes an independent office of the CAG, who heads the Indian Audit and Accounts Department. The CAG safeguards public funds and oversees the financial system at both Union and State levels.
- Article 149 empowers Parliament to define the CAG's duties and powers. Accordingly, Parliament enacted the CAG's (Duties, Powers and Conditions of Service) Act, 1971.
- A major function of the CAG is to examine the financial operations of the Executive—that is, government departments, ministries, and public authorities at both the Centre and the States. **(D-2)**

Therefore, the correct match for List-I with List-II is as follows:

- The Speaker – Fixes the time limit for discussion of Demands **(A-1)**
- The Finance Minister – Oversees the country's fiscal policy **(B-4)**
- The President – Causes the annual financial statement to be laid before the Parliament **(C-3)**
- The CAG – Examines the financial operation of the executives. **(D-2) So, Option (a) is correct.**

36. What will follow if a money bill is returned by the Rajya Sabha with recommendations?

- (a) **The Lok Sabha may still proceed with the Bill, accepting or not accepting the recommendations of the Rajya Sabha.**
- (b) The Lok Sabha cannot consider the Bill further.
- (c) The Lok Sabha may send the Bill to the Rajya Sabha for reconsideration.
- (d) The President may call a joint sitting for passing the Bill.

EXPLANATION:

According to Article 109, a money Bill shall be introduced only in the Lok Sabha. After it is passed in the Lok Sabha, the Rajya Sabha has only 14 days to provide its recommendations on such a Bill, which may or may not be accepted by the Lok Sabha.

- If the Lok Sabha accepts any recommendation, the Bill is then deemed to have been passed by both Houses in the modified form.
- If the Lok Sabha does not accept any recommendation, the Bill is then deemed to have passed by both the Houses in the form originally passed by the Lok Sabha without any change.
- If the Rajya Sabha does not return the Bill to the Lok Sabha within 14 days, the Bill is deemed to have been passed by both the Houses in the form originally passed by the Lok Sabha.

Therefore, with respect to money bills, the Lok Sabha may either accept or ignore the recommendations made by Rajya Sabha.

Whether the Rajya Sabha returns the Bill with suggestions or fails to return it within 14 days, the Bill is ultimately considered passed in the form approved by the Lok Sabha. **So, Option (a) is correct.**

ADDITIONAL INFORMATION:

MONEY BILL	
About	Article 110 defines a Money Bill. A bill is a Money Bill only if it contains provisions exclusively related to ➤ Taxation – imposition, abolition, remission, alteration, or regulation of any tax. ➤ Government borrowing – regulation of the borrowing of money by the Union government. ➤ Government funds – • Custody of the Consolidated Fund of India or the Contingency Fund of India • Payment into or withdrawal of money from these funds ➤ Appropriation of money from the Consolidated Fund of India. ➤ Charged expenditure – declaring or increasing any expenditure charged on the Consolidated Fund of India ➤ Receipts and accounts – • Receipt or custody of money in the Consolidated Fund or Public Account of India • Issue of such money • Audit of the accounts of the Union or a State ➤ Any incidental matter connected to the above. However, a bill is not considered a Money Bill merely because it provides for: ➤ The imposition of fines or other pecuniary penalties. ➤ The demand or payment of fees for licenses or fees for services rendered. ➤ The imposition, abolition, remission, alteration, or regulation of any tax by a local authority or body for local purposes.
Deciding Authority	➤ If any question arises as to whether a bill is a Money Bill or not, the decision of the Speaker of the Lok Sabha is final. ➤ This decision cannot be questioned in any court of law, nor in either House of Parliament, nor even by the President.

	➤ When a Money Bill is sent to the Rajya Sabha for recommendations and later presented to the President for assent, the Speaker certifies and endorses it as a Money Bill.
Ordinary Bill	Money Bill
Can be introduced in either House – Lok Sabha or Rajya Sabha.	Can be introduced only in the Lok Sabha.
Introduced by a minister or a private member.	Introduced only by a minister.
No President's recommendation required.	Requires President's recommendation.
Rajya Sabha can amend or reject the bill.	Rajya Sabha cannot amend or reject; only recommend.
Rajya Sabha may hold the bill for up to 6 months.	Rajya Sabha may hold the bill for only 14 days.
No Speaker certification needed.	Needs Speaker's certification as a Money Bill.
Sent to President after approval by both Houses; joint sitting possible.	Sent to President even if only Lok Sabha approves; no joint sitting.
Defeat in Lok Sabha may lead to government resignation (if minister introduced it).	Defeat leads to resignation of the government.
President may approve, reject, or return for reconsideration.	President may approve or reject, but cannot return it.

37. Consider the following statements:

1.	Call Attention Motion	To draw the attention of the minister to a matter of urgent public importance
2.	Adjournment Motion	To adjourn the house by the members themselves, as the presiding officer refused to adjourn
3.	Privilege Motion	To draw the attention of the speaker towards an incorrect/incomplete answer by a minister
4.	Cut Motion	To move a proposal to reduce expenditure in the Budget proposals

Which of the pairs given above are correct?

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

EXPLANATION:

A motion is a proposal made by a member to the House that the House do something or order something to be done or express an opinion with regard to some matter.

A motion must be phrased in such a way that, if assented to, it will purport to express the judgment or will of the House.

➤ Calling Attention Motion is introduced in the Parliament by a member to call the attention of a minister to a matter of urgent public importance, and to seek an authoritative statement from him on that matter. Like the zero hour, it is also an Indian innovation in the parliamentary procedure and has been in existence since 1954. However, unlike the zero hour, it is mentioned in the Rules of Procedure. **So, Pair (1) is correct.**

An adjournment motion is used to bring a matter of urgent public importance to the immediate attention of the House.

The issue must be so serious that normal procedures, like regular motions or resolutions, cannot address it in time.

If admitted, it suspends the normal business of the House and allows discussion of the urgent matter. It also carries an element of censure against the government, and if the motion is adopted, the House automatically stands adjourned. Therefore, the adjournment motion is not about the presiding officer refusing to adjourn. **So, Pair (2) is not correct.**

Privilege Motion is concerned with the breach of parliamentary privileges by a minister. It is moved by a member when he feels that a minister has committed a breach of privilege of the House or one or more of its members by withholding facts of a case or by giving wrong or distorted facts. Its purpose is to censure the concerned Minister. **So, Pair (3) is correct.**

Cut motion is a veto power given to the Member of Parliament to oppose a demand in the financial bill discussed by the government.

These motions are usually to oppose and seek a reduction or clarity in various Demands for Grants presented by the Government.

The demand for grants is part of the Budget outlining the allocation of funds for various departments. A member can move the motion on the grounds of a grievance or a difference of opinion on a policy matter or economy. **So, Pair (4) is correct.**

ADDITIONAL INFORMATION:

OTHER TYPES OF MOTIONS	
Recently in news	Several Members of Parliament today submitted a memorandum to the Lok Sabha Speaker Om Birla to remove Justice Yashwant Varma. A total of 145 Lok Sabha members have signed the impeachment motion against Justice Verma under Articles 124, 217, and 218 of the Constitution.
Censure motion	A censure motion is moved by the opposition against a specific policy of the Government, against a minister, or against the whole Council of ministers. ➤ It can be moved only in the lower House of the Parliament. The motion should be specific and self-explanatory so as to record the reasons of the censure precisely and briefly. ➤ No leave of the House is required to move a censure motion. If it is passed, the Council of Ministers is bound to seek the confidence of the Lok Sabha as early as possible.
No-Day-Yet-Named Motion	A No-Day-Yet-Named motion is one where, if the Speaker admits notice of a motion but no date is fixed for its discussion, the Speaker may, after considering the State of business in the House in consultation with the Leader of the House or on the recommendation of the Business Advisory Committee, allot a day or days or part of a day for the discussion of any such motion.
Cut motion & its types	Cut motions are used by members to reduce the amount of money demanded by the government in the Budget (Demands for Grants). If a cut motion is passed, the government is morally expected to resign. There are three types of cut motions: Disapproval of Policy Cut ➤ The member proposes to reduce the demand for a symbolic amount (₹1). ➤ Purpose: To express disapproval of a particular policy related to the demand. ➤ The member must state the specific policy they oppose. ➤ Debate is limited to the policy issues mentioned in the notice. Economy Cut ➤ The member proposes to reduce the demand by a specific amount. ➤ Purpose: To suggest economy or savings in government expenditure. ➤ The member must clearly state the exact area or aspect where expenditure can be reduced.

	Token Cut ➤ A small reduction (e.g., ₹100) is proposed. ➤ Purpose: To raise a specific grievance related to the service or department. ➤ The discussion focuses only on that grievance.
No-Confidence Motion	Introduced only in Lok Sabha by the opposition. The purpose is to test whether the Council of Ministers still enjoys the confidence of the House. Conditions: • A member must ask for leave of the House to move it. • At least 50 members must support the motion for it to be admitted. • Once admitted, the Speaker fixes a date for discussion. • After discussion, the House votes. • If the government loses the vote, it must resign.

38. Consider the following statements:

Statement-I:

The Solicitor General of India aids the Attorney General in carrying out his official duties.

Statement II:

The Solicitor General of India is appointed under Article 76 of the Indian Constitution.

Which of the following is correct in respect of the above statements?

- Both Statement I and Statement II are correct, and Statement II is the correct Explanation for Statement I.
- Both Statement-I and Statement-II are correct and Statement-II is not the correct Explanation for Statement-I
- Statement I is correct, but Statement II is incorrect**
- Statement I is incorrect, but Statement II is correct

EXPLANATION:

The Solicitor General of India is a pivotal legal officer of the Government of India, responsible for advising the central government on legal matters and representing it in various courts. Often referred to as the government's chief legal assistant, the Solicitor General plays a significant role in upholding the rule of law and ensuring justice.

- In simpler terms, the Solicitor General of India is the second-highest law officer in the country, subordinate only to the Attorney General of India. While the Attorney General is the chief legal advisor to the Government of India, the Solicitor General and Additional Solicitors General assist in managing the immense volume of cases involving the government. **So, Statement I is correct.**

The Solicitor General of India is not a constitutional post. Unlike the Attorney General of India, who is explicitly mentioned in Article 76 of the Indian Constitution, the post of Solicitor General is created through statutes and executive resolutions.

- The Solicitor General of India functions under the authority of the Attorney General but holds a highly respected and critical position in the Indian legal system.
- The appointment is made by the President of India on the recommendation of the central government.

Thus, Article 76 deals only with the Attorney General of India, not the Solicitor General. **So, Statement II is not correct.**

ADDITIONAL INFORMATION:

SOLICITOR GENERAL OF INDIA	
About	Globally, a Solicitor General typically represents the government in court. In India, the Solicitor General of India holds a similar function, ensuring that the central government is well-represented and legally compliant. ➤ The position of Solicitor General of India was established to address the increasing legal needs of the government. As India's democracy and legal system evolved, so did the complexity of cases involving the government, necessitating the creation of such an office. ➤ Over the years, the Solicitor General of India has played a crucial role in landmark cases that have shaped Indian law and governance.
Role of Solicitor General	The role of the Solicitor General of India is multifaceted and vital to the functioning of the government. ➤ Legal Representation: The Solicitor General of India represents the Government of India in legal cases before the Supreme Court, High Courts, and other judicial forums. This involves presenting arguments, defending government policies, and assisting the courts in understanding the government's legal position. ➤ Advisory Role: The Solicitor General provides legal advice to various ministries and departments of the government. This guidance ensures that government actions and policies align with the law. ➤ Assistance to Attorney General: The Solicitor General of India works closely with the Attorney General of India, assisting in high-profile cases and sharing the caseload. ➤ Special Assignments: The government may assign specific cases or legal matters of national importance to the Solicitor General for representation and resolution. ➤ Drafting and Vetting Legislation: The Solicitor General of India plays a key role in drafting legal frameworks, scrutinising proposed laws, and ensuring their constitutional validity.
Appointment and Tenure	➤ Legal Expertise: The individual must be an accomplished lawyer with significant experience in practising law, particularly in the Supreme Court or High Courts. ➤ Reputation: A sound reputation within the legal community for integrity, professionalism, and expertise is crucial. ➤ Government Nomination: The appointment is made by the President of India on the recommendation of the central government. The decision often considers the individual's ability to represent the government in complex legal matters. ➤ No Fixed Qualifications: Unlike judicial positions, there are no fixed educational or age criteria to qualify as Solicitor General of India. However, a strong background in constitutional and public law is essential. ➤ The Term: The Solicitor General of India is appointed for a three-year term, which can be extended based on the government's discretion.

39. The term 'Primus inter pares' in relation to the Prime Minister implies

- (a) The Prime Minister is the least powerful in relation to the ministers.
- (b) The Prime Minister is the most powerful in relation to the ministers.**
- (c) The Prime Minister is as powerful as the President.
- (d) The Prime Minister is as powerful as the Speaker.

EXPLANATION:

The Constitution of India does not describe the office of the Prime Minister in detail. It is, therefore, difficult to state what the exact position of the Prime Minister is.

The generally accepted theory is that the Prime Minister is just like "primus inter pares" or "first among equals". This is the phrase which is used to describe the office of the Prime Minister in a parliamentary system.

- The whole organization and working of the Council of Ministers depend upon the Prime Minister.
- The President always acts in accordance with the advice of the Prime Minister. The ministry-making is the sole right of the Prime Minister.
- The resignation or removal of the Prime Minister always means the resignation of the Council of Ministers. Hence, the Prime Minister is the Centre of gravity and the foundation stone of the Council of Ministers.

This shows that the Prime Minister is the most powerful in relation to the ministers. **So, Option (b) is correct.**

ADDITIONAL INFORMATION:

POWERS AND FUNCTIONS OF THE PRIME MINISTER	
In Relation to the President	The Prime Minister enjoys the following powers in relation to the President: ➤ He is the principal channel of communication between the President and the Council of Ministers. It is the duty of the prime minister: • To communicate to the President all decisions of the Council of Ministers relating to the administration of the affairs of the Union and proposals for legislation; • To furnish such information relating to the administration of the affairs of the Union and proposals for legislation as the President may call for; and • If the President so requires, to submit for the consideration of the Council of Ministers any matter on which a minister has taken a decision but which has not been considered by the Council. ➤ He advises the President with regard to the appointment of important officials like the Attorney General of India, the Comptroller and Auditor General of India, the chairman and members of the UPSC, the Election Commissioners, the chairman and members of the Finance Commission and so on.
Articles related to Prime Minister	Provisions of the Constitution on the Relationship between the President and the Prime Minister Article 74: ➤ There shall be a Council of Ministers headed by the Prime Minister to aid and advise the President. ➤ The President must generally act according to this advice but may ask the Council to reconsider it. After reconsideration, the President is bound to act on the advice. Article 75: ➤ The President appoints the Prime Minister, and other ministers are appointed on the advice of the Prime Minister. ➤ Ministers hold office during the pleasure of the President. ➤ The Council of Ministers is collectively responsible to the Lok Sabha (House of the People). Article 78 The Prime Minister has the duty to: ➤ Communicate all decisions of the Council of Ministers regarding administration and legislation to the President.

	➤ Provide information to the President on administration and legislative proposals when requested. ➤ Submit for consideration any matter decided by a minister but not yet considered by the Council, if required by the President.
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40. On a particular day, 120 members of the Rajya Sabha were present for a meeting of the Rajya Sabha to vote on an ordinary bill already passed by the Lok Sabha. Seventy-five members vote in favor of the bill. In this context which of the following possibilities is correct?

- (a) The bill failed to pass because half the number of members of Rajya Sabha were not present and did not vote.
- (b) The bill is declared passed and is sent to the President for approval**
- (c) The bill fails because 2/3rd of those present and voted did not vote for it.
- (d) The bill is not passed and has to go to the lower house for reconsideration.

EXPLANATION:

Every ordinary bill has to pass through the following five stages in the Parliament before it finds a place on the Statute Book:

- **First Reading:** An Ordinary Bill may be introduced in either House of Parliament. Such a bill can be introduced either by a minister or by any other member. No discussion on the bill takes place at this stage.
- **Second Reading:** During this stage, the bill receives not only the general but also the detailed scrutiny and assumes its final shape.
- **Third Reading:** At this stage, debate is confined to arguments either in support of the Bill or its rejection, without referring to the details thereof further than is absolutely necessary. Only formal, verbal or consequential amendments are allowed at this stage. In passing an ordinary Bill, a simple majority of members present and voting is sufficient.
- **Bill in the Second House** (In the above case, that is the Rajya Sabha): In the second House, the bill also passes through all three stages. There are four alternatives before this House:
 - it may pass the bill as sent by the first House (ie, without amendments);
 - it may pass the bill with amendments and return it to the first House for reconsideration;
 - it may reject the bill altogether; and
 - it may not take any action and thus keep the bill pending.

In both houses, when passing an ordinary Bill, a simple majority of members present and voting is sufficient. That is, Votes in favour > ½ (Members present and voting).

In the above case,

- A total of 120 members were present for a meeting of the Rajya Sabha. With that, 75 members voted for the bill in favour.
- Here, the Majority required = more than 60 votes.
75 votes (voted) > 60 votes (required)
- Therefore, the bill passes the Rajya Sabha. Since it's an ordinary bill and has been passed by both Houses, it is sent to the President for assent (approval). **So, Option (b) is correct.**

ADDITIONAL INFORMATION:

ASSENT OF THE PRESIDENT	
About	Every bill, after being passed by both Houses of Parliament either singly or at a joint sitting, is presented to the President for his assent. There are three alternatives before the President: • He/she may give his assent to the bill; or • He/she may withhold his assent to the bill; or • He/she may return the bill for reconsideration of the Houses.

	➤ If the President gives his assent to the bill, the bill becomes an act and is placed on the Statute Book. ➤ If the President withholds his/her assent to the bill, it ends and does not become an act. ➤ If the President returns the bill for reconsideration and if it is passed by both Houses again with or without amendments and presented to the President for his assent, the President must give his assent to the bill. Thus, the President enjoys only a "suspensive veto."
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41. Disqualification on grounds of defection for a member of parliament will not apply

(a) In case of him being a part of the split in the original political party to which he is elected.

(b) If he has voluntarily given up his membership of a political party after being elected as the presiding officer of the House.

(c) If he abstains from voting in the House contrary to the direction of the political party.

(d) If a nominated member of a house joins a political party after six months.

EXPLANATION:

The 52nd Amendment Act, 1985 introduced the anti-defection law, which provides for the disqualification of Members of Parliament (MPs) and State Legislatures (MLAs) if they defect from one political party to another.

This amendment inserted the Tenth Schedule into the Constitution and amended four Articles related to Parliament and State Legislatures.

Later, the 91st Amendment Act, 2003 further strengthened the law by removing the provision that allowed exemption from disqualification in case of a split in a political party.

Therefore, disqualification on grounds of defection for a member of Parliament is applicable even in the case of a split in the original political party to which they are elected. **So, Option (a) is not correct.**

A member is not disqualified under the anti-defection law in the following two cases:

- **In case of a merger:** If a member's political party merges with another party, and two-thirds of the members of that party agree to the merger, they will not be disqualified.
- **If elected as Presiding Officer:** If a member is elected as Speaker, Deputy Speaker, or Chairman, and voluntarily gives up party membership to maintain neutrality, they will not be disqualified. They can rejoin their party after leaving that office. This exception exists to preserve the impartiality and dignity of the presiding officer's role. **So, Option (b) is correct.**

The Tenth Schedule contains the following provisions with respect to the disqualification of members of Parliament and the state legislatures on the ground of defection:

- **Members of Political Parties:** A member of a House belonging to any political party becomes disqualified from being a member of the House if:
 - they voluntarily give up the membership of such political party; or
 - they vote or abstain from voting in the House contrary to any direction issued by their political party, without obtaining prior permission from the party, and the act is not condoned by the party within 15 days. **So, Option (c) is not correct.**

From this provision, it is clear that a member elected on a party ticket must continue to remain in that party and follow its directions

- **Independent Members:** An independent member of a House (elected without being set up as a candidate by any political party) becomes disqualified if they join any political party after the election.
- **Nominated Members:** A nominated member of a House becomes disqualified if they join any political party after the expiry of six months from the date on which they take their seat in the House.

This means a nominated member may join a political party within six months of taking their seat without attracting disqualification. **So, Option (d) is not correct.**

42. Who among the following is a constitutional authority whose removal from office by the President requires a reference to the Supreme Court?

- (a) **Chairman and Members of the Union Public Service Commission**
- (b) Judge of the Supreme Court
- (c) Comptroller and Auditor-General
- (d) The Chief Election Commissioner

EXPLANATION:

According to Article 317(1) of the Constitution of India, the Chairman or any other member of a Public Service Commission can be removed from office only by an order of the President on the ground of misbehaviour, and only after the Supreme Court, on a reference made to it by the President, has conducted an inquiry (in accordance with the procedure prescribed under Article 145) and reported that the Chairman or such member ought to be removed on that ground.

Thus, a reference to the Supreme Court is mandatory before the President can remove the Chairman or a Member of the UPSC. **So, Option (a) is correct.**

A Supreme Court judge can be removed by the President, but only after an address by each House of Parliament.

This address must be supported by a special majority — that is, a majority of the total membership of each House and a two-thirds majority of the members present and voting. The removal can be made only on the grounds of proved misbehaviour or incapacity. A Judge may be removed from office through a motion adopted by parliament on grounds of 'proven misbehaviour or incapacity'.

No reference to Supreme Court is required for removal, as it is a follow-up parliamentary process. **So, Option (b) is not correct.**

Article 148 of the constitution deals with Comptroller and Auditor-General of India; The Comptroller and Auditor-General of India (CAG) is appointed by the President through a warrant under his hand and seal.

The CAG can be removed from office in the same manner and on the same grounds as a Judge of the Supreme Court, i.e., only through a Parliamentary process based on proved misbehavior or incapacity. No reference to the Supreme Court is involved in this process; it is handled entirely through Parliamentary procedure. **So, Option (c) is not correct.**

Article 324 of the constitution deals with the superintendence, direction and control of Elections in India.

The Election Commission of India is responsible for the superintendence, direction, and control of elections to Parliament, state legislatures, and the offices of the President and Vice-President.

- According to Clause (5): The Chief Election Commissioner (CEC) shall not be removed from office except in the same manner and on the same grounds as a Judge of the Supreme Court, i.e., through a Parliamentary process involving special majority in both Houses.
- The conditions of service of the CEC cannot be varied to his disadvantage after appointment
- Any other Election Commissioner or Regional Commissioner can be removed only on the recommendation of the Chief Election Commissioner.

Thus, there is no role of the Supreme Court in the removal process of the Chief Election Commissioner or other Election Commissioners; it is a Parliamentary process, not a judicial one. **So, Option (d) is not correct.**

43. Prevention of food adulteration comes under

- (a) Centre list
- (b) State list
- (c) **Concurrent list**
- (d) None of the above

EXPLANATION:

The Seventh Schedule of the Indian Constitution divides legislative powers between the Union and the States through three lists, as defined in Article 246:

- Union List – Matters on which only Parliament can make laws.
- State List – Matters on which only State Legislatures can make laws.
- Concurrent List – Matters on which both Parliament and State Legislatures can make laws.

If there is a conflict between a Central law and a State law on a Concurrent List subject, the Central law prevails. However, if the State law has received the President's assent, it can prevail within that State. Residuary subjects (not mentioned in any list) fall under the Union's jurisdiction.

The number of Subjects present in each list are mentioned below:

- Union List: 97 subjects
- State List: 66 subjects
- Concurrent List: 47 subjects

Adulteration of foodstuffs and other goods is placed in the Concurrent List (entry no 18). **So, Option (c) is correct.**

ADDITIONAL INFORMATION:

DISTRIBUTION OF LEGISLATIVE SUBJECTS	
About	The Constitution of India provides for a three-fold distribution of legislative subjects between the Centre and the States through three lists in the Seventh Schedule
Three lists	Union List (List I): • Parliament has exclusive powers to make laws on subjects in the Union List. • It currently includes 98 subjects (originally 97), such as: • Defence, Foreign Affairs, Banking, Currency, Atomic Energy, Communication, Inter-State Trade, Audit, Census, Insurance, etc. State List (List II): • State Legislatures have exclusive powers to make laws on subjects in the State List, under normal circumstances. • It currently includes 59 subjects (originally 66), such as: • Public Order, Police, Public Health, Agriculture, Prisons, Local Government, Fisheries, Markets, Theatres, Gambling, etc. Concurrent List (List III): • Both Parliament and State Legislatures can make laws on subjects in the Concurrent List. • It now includes 52 subjects (originally 47), such as: • Criminal Law, Civil Procedure, Marriage and Divorce, Population Control, Labour Welfare, Electricity, Economic and Social Planning, Drugs, Newspapers, Printing Press, etc.
Important Amendments and Provisions	42nd Amendment Act, 1976: • Transferred five subjects from the State List to the Concurrent List: • Education • Forests • Weights and Measures • Protection of Wild Animals and Birds • Administration of Justice (except Supreme Court and High Courts) 101st Amendment Act, 2016 (GST): • Both Parliament and States can make laws on Goods and Services Tax (GST).

	Parliament has exclusive power to legislate on inter-state supply of goods and services.
Residuary Powers	- Matters not listed in any of the three lists are called residuary subjects. - The power to legislate on these matters rests exclusively with Parliament. - This includes the power to levy residuary taxes. - Parliament can make laws for Union Territories or any acquired territory, even on matters listed in the State List. Comparison with Other Countries: USA: Only federal powers are listed; residuary powers belong to states. Australia: Follows the American pattern — single enumeration of federal powers. Canada: Dual enumeration (Federal and Provincial); residuary powers rest with the Centre. India: Adopted the three-fold division from the Government of India Act, 1935, but unlike that Act (where residuary powers lay with the Governor-General), in India, residuary powers are with Parliament

44. Which of the following are the limitations on the sovereignty of the Indian Parliament?

1. Fundamental rights
2. Judicial Review
3. Written Constitution
4. Federalism
5. Directive Principles of State Policy

Select the correct answer using the codes given below:

- (a) 1, 2, 3 and 4 only
(b) 1, 2 and 3 only
(c) 1 and 2 only
(d) 1, 2, 3, 4 and 5

EXPLANATION:

The doctrine of “sovereignty of Parliament” is associated with the British Parliament. Sovereignty means supreme power within the State, and in Britain, that power lies entirely with Parliament. There are no legal restrictions on its authority or jurisdiction — making parliamentary supremacy a core feature of the British Constitution.

A.V. Dicey’s Three Implications of Parliamentary Sovereignty:

- **Unlimited Law-Making Power:** Parliament can make, amend, substitute, or repeal any law. As De Lolme famously said: “The British Parliament can do everything except make a woman a man and a man a woman.”
- **No Separation Between Ordinary and Constitutional Laws:** Parliament can make or amend constitutional laws using the same process as ordinary laws.
- **No Judicial Review:** The Parliamentary laws cannot be declared invalid by the Judiciary as being unconstitutional. In other words, there is no system of judicial review in Britain.

The Indian Parliament, on the other hand, cannot be regarded as a sovereign body in the similar sense as there are ‘legal’ restrictions on its authority and jurisdiction. The factors that limit the sovereignty of Indian Parliament are:

- Written Nature of the Constitution. **So, Statement 3 is correct.**
- Federal System of Government. **So, Statement 4 is correct.**
- System of Judicial Review. **So, Statement 2 is correct.**
- Fundamental Rights. **So, Statement 1 is correct.**

Directive Principles of State Policy do not impose any restriction of the power of parliament. Thus, it is not the limiting factor of the sovereignty of Indian Parliament. **So, Statement 5 is not correct.**

ADDITIONAL INFORMATION:

SOVEREIGNTY OF PARLIAMENT	
About	The Indian Parliament is not sovereign like the British Parliament, because its powers are limited by the Constitution. The Constitution is supreme, and Parliament must function within its framework.
Limiting factors	Written Constitution: ➤ India has a written Constitution, which is the supreme law of the land. ➤ It clearly defines the powers and limits of all three organs of government (Legislature, Executive, and Judiciary). ➤ Parliament must act within the limits prescribed by the Constitution. ➤ Some constitutional amendments also require ratification by half of the states, showing that Parliament's powers are not absolute. ➤ In contrast, Britain has an unwritten Constitution, so its Parliament faces no such legal restrictions. Federal System of Government: ➤ India follows a federal system, dividing powers between the Union and the States. ➤ Parliament can legislate only on subjects in the Union List and Concurrent List, not on the State List (except under special conditions like emergencies). ➤ In Britain's unitary system, all powers rest with the central government, giving its Parliament unlimited authority. System of Judicial Review: ➤ The Supreme Court and High Courts in India have the power of judicial review. ➤ They can strike down any law passed by Parliament if it violates the Constitution. ➤ British courts, however, cannot question the validity or constitutionality of parliamentary laws — they must simply apply them. Fundamental Rights: ➤ Fundamental Rights (Part III) act as another limit on parliamentary authority. ➤ Article 13 prohibits Parliament from making laws that violate these rights; such laws are null and void. ➤ In Britain, there is no codified bill of rights, but citizens enjoy liberty under the Rule of Law. Although India's Parliament is modeled after the British Parliament, it is not sovereign in the same sense. Its powers are defined, limited, and subject to the Constitution, unlike the British Parliament, which is supreme. In this respect, the Indian Parliament resembles the U.S. Congress, which is also limited by a written Constitution, federal structure, judicial review, and a Bill of Rights.

45. Which of the following statements is/are **not** violative of the principle of federalism?

1. The President of India takes over the administration of states under the emergency provisions.
2. The Parliament of India has the exclusive power to make any law with respect to any matter not enumerated in the Concurrent List or the State List.
3. The distribution of powers between the Union and provinces is done through three different lists enumerated in the Constitution of India.

Select the correct answer using the codes given below:

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

EXPLANATION:

In a federal setup, there is a two-tiered Government with well-assigned powers and functions. In this system, the central government and the governments of the units act within a well-defined sphere, coordinate, and at the same time act independently. The federal polity, in other words, provides a constitutional device for bringing unity in diversity and for the achievement of common national goals.

- The Constitution stipulates three types of emergencies—national, state, and financial.
- The President of India takes over the administration of states under Article 356 of the Constitution.
- During an emergency, the Central government becomes all-powerful, and the states go under the total control of the Centre. It converts the federal structure into a unitary one without a formal amendment of the Constitution. This kind of transformation is not found in any other federation. Thus, emergency provisions are violative of the principle of federalism. **So, Statement 1 is not correct.**

The Constitution divided the powers between the Centre and the states in terms of the Union List, State List and Concurrent List in the Seventh Schedule. The Union List consists of 98 subjects (originally 97), the State List 59 subjects (originally 66) and the Concurrent List 52 subjects (originally 47).

- This division of power is the federal feature of the Indian constitution. Thus, it is not violative of the principle of federalism. **So, Statement 3 is correct.**
- According to Article 248 in the Constitution of India, the power to make laws with respect to residuary subjects (i.e., the matters which are not enumerated in any of the three lists—Union, State and Concurrent) is vested in Parliament. The division of powers is in favour of the Centre and highly inequitable from the federal angle.
 - Firstly, the Union List contains more subjects than the State List.
 - Secondly, the more important subjects have been included in the Union List.
 - Thirdly, the Centre has overriding authority over the Concurrent List.
 - Finally, the residuary powers have also been left with the Centre, while in the US, they are vested in the states.

Thus, the Constitution has made the Centre very strong. This is a violation of the principle of federalism. **So, Statement 2 is not correct.**

ADDITIONAL INFORMATION:

NATURE OF INDIAN FEDERATION	
About	In spite of the fact that the Indian Constitution establishes a federal structure, it is indeed very difficult to put the Indian Constitution in the category of a true federation. The framers of the Constitution have modified the true nature of Indian federation by incorporating certain non-federal features in it. ➤ Article I of the Constitution describes India as a 'Union of States', which implies two things: firstly, it is not the result of an agreement among the States and secondly, the States have no freedom to secede or separate from the Union. Besides, the Constitution of the Union and the States is a single framework from which neither can get out and within which they must function. The federation is a union because it is indestructible and helps to maintain the unity of the country. ➤ The Centre appoints the Governors of the States and may take over the administration of the State on the recommendations of the Governor or otherwise. In other words, Governor is the agent of the Centre in the States. The working of the Indian federal system clearly reveals that the Governor has acted more as the centre's representative than as the head of the State. This enables the Union government to exercise control over the State administration. The control of the Union over states after the imposition of the National Emergency.

	➤ The equality of units in a federation is best guaranteed by their equal representation in the Uppers House of the federal legislature (Parliament). However, this is not applicable in case of Indian States. They have unequal representation in the Rajya Sabha. In a true federation such as that of United State of America every State irrespective of their size in terms of area or population it sends two representatives in the upper House i.e. Senate. ➤ In addition to all this, all important appointments such as the Chief Election Commissioner, the Comptroller and Auditor General are made by the Union Government. Besides, there is single citizenship. There is no provision for separate Constitutions for the states. The States cannot propose amendments to, the Constitution. As such amendments can only be made by the Union Parliament. ➤ In order to ensure uniformity of the administrative system and to maintain minimum common administrative standards without impairing the federal system. All India Services such as IAS and IPS have been created which are kept under the control of the Union. In financial matters too, the States depend upon the Union to a great extent. The States do not possess adequate financial resources to meet their requirements. During Financial Emergency, the Center exercises full control over the State's finances. ➤ In case of disturbances in any State or part thereof, the Union Government is empowered to depute Central Force in the State or to the disturbed part of the State. Also, the Parliament, by law may increase or decrease the area of any State and may alter its name and boundaries. ➤ The federal principle envisages a dual system of Courts. But, in India we have unified Judiciary with the Supreme Court at the apex. ➤ The Constitution of India establishes a strong Centre by assigning all-important subjects to the Centre as per the Union List. The State Governments have very limited powers. Financially the States are dependent on the Centre This has lent support to the contention that the Indian Constitution is federal in form but unitary in spirit. Constitutional experts have called it a 'semi-federal' or 'quasi-federal' system.
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46. Consider the following statements regarding the Cabinet Secretariat:

1. The Cabinet Secretariat functions directly under the Prime Minister as per the Government of India (Allocation of Business) Rules, 1961.
2. The business allotted to the Cabinet Secretariat includes providing secretarial assistance to the Cabinet and its Committees, and administering the Rules of Business.

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

EXPLANATION:

The Cabinet Secretariat is an important body that helps in coordinating and managing the overall functioning of the Government of India.

According to the Government of India (Allocation of Business) Rules, 1961, the Cabinet Secretariat comes directly under the administrative control of the Prime Minister.

This means the Prime Minister supervises its functioning and gives directions on how government business should be conducted through the Cabinet Secretariat. **So, Statement 1 is correct.**

According to the Government of India (Allocation of Business) Rules, 1961, the main functions of the Cabinet Secretariat are:

- Providing secretarial support to the Cabinet and its Committees, and
- Managing the Rules of Business that guide how government work is conducted.

The Cabinet Secretariat also administers the Government of India (Transaction of Business) Rules, 1961 and the Allocation of Business Rules, 1961, to ensure smooth coordination and functioning across various ministries and departments.

It plays a key role in government decision-making by:

- Ensuring inter-ministerial coordination,
- Resolving differences among ministries and departments,
- Building consensus through standing or ad-hoc Committees of Secretaries, and
- Managing major national crises by coordinating the efforts of different ministries.

So, Statement 2 is correct.

ADDITIONAL INFORMATION:

CABINET SECRETARIAT	
About	➤ The Cabinet Secretary is the administrative head of the Cabinet Secretariat and also serves as the ex officio Chairman of the Civil Services Board. ➤ The Cabinet Secretariat is listed in the First Schedule of the Government of India (Allocation of Business) Rules, 1961 ➤ It ensures that the President, Vice-President, and Ministers are kept informed of the major activities of all Ministries/Departments through monthly summaries. ➤ The Secretariat also helps in promoting new policy initiatives through coordination and consensus-building mechanisms.
Evolution of the Cabinet Secretariat	➤ Before 1861: All government business was handled collectively by the Governor-General in Council. As work increased, departments were divided among members, and only important matters were handled jointly. ➤ Indian Councils Act, 1861 (Lord Canning): Legalised this practice and introduced the Portfolio System, leading to the creation of the Executive Council of the Governor-General. ➤ 1935–1946: The Secretary to the Executive Council became distinct from the Viceroy's Private Secretary. In 1946, the office was renamed Cabinet Secretariat, and the head was called the Cabinet Secretary. ➤ Post-Independence: The role expanded from simply circulating papers to coordinating among ministries and supporting policy decisions.

47. Consider the following statements regarding the constitutional provisions relating to trade, commerce and intercourse in India:

1. Parliament may by law impose restrictions on the freedom of trade, commerce or intercourse between one state and another in the public interest.
2. Bills imposing restrictions on the freedom of trade, commerce or intercourse within a state cannot be moved in the state legislature under any circumstances.
3. Parliament may enact any law giving or authorising any discrimination to deal with a situation arising from the scarcity of goods in any part of Indian territory.
4. Trade and commerce within the state is a subject in the concurrent list.

Which of the statements given above is/are correct?

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

EXPLANATION:

Article 302 of the Indian Constitution empowers the Parliament to impose restrictions on the freedom of trade, commerce, or intercourse carried on within a state or across states anywhere in the territory of India.

- Such restrictions can be imposed only in the public interest, and the authority to determine what constitutes public interest rests exclusively with the Parliament.
- This principle was upheld in *Surajmal Roopchand & Co. v. State of Rajasthan* (1967), where, under the Defence of India Rules, restrictions were imposed on the movement of grain in the interest of the general public. **So, Statement 1 is correct.**

Article 304 of the Indian Constitution deals with restrictions by States on trade, commerce, and intercourse. Although the Constitution under Article 301 guarantees freedom of trade and movement of goods across India, Article 304 grants the State Legislatures limited powers to impose certain restrictions, but only under specific conditions, as mentioned below.

- Non-discriminatory Taxation (Article 304(a))
 - States may impose taxes on goods imported from other states, but
 - The tax rate must be the same as that imposed on similar local goods — no discrimination allowed.
- Reasonable Restrictions in Public Interest (Article 304(b))
 - States can impose reasonable restrictions on trade and commerce within or into the State, but only in the public interest.
 - However, such a Bill cannot be introduced in the State Legislature without the prior sanction of the President.

Therefore, Bills imposing restrictions on the freedom of trade, commerce or intercourse within a state can be moved in the state legislature under stipulated circumstances in Article 304. **So, Statement 2 is not correct.**

Article 303 of the Constitution deals with the Prohibition of Discrimination in Trade and Commerce.

- According to Article 303(1), in normal situations, neither Parliament nor any State Legislature can make a law that gives preference to one State over another or discriminates between States in matters related to trade and commerce.
- This means that all States in India must be treated equally in terms of trade opportunities, taxes, and regulations.

Example: Parliament cannot pass a law that makes it easier to trade in Maharashtra but harder to trade in Tamil Nadu.

However, there is an exception to this rule.

- Parliament, under article 303 (2), can make a law that gives preference or allows discrimination between States if it is clearly stated in the law that such action is necessary to deal with a situation of scarcity of goods in any part of India.

Example: If there is a shortage of essential goods like food grains in one State, Parliament may pass a law giving that State priority in receiving supplies. **So, Statement 3 is correct.**

The Seventh Schedule of the Indian Constitution distributes legislative powers between the Union and State governments through three lists: Union List (List I), State List (List II), and Concurrent List (List III). This division also extends to matters related to trade and commerce, ensuring a balance between national uniformity and state autonomy.

- Under the State List (Entries 26 and 27), matters such as "trade and commerce within the State" and the "production, supply, and distribution of goods within the State" are placed under the exclusive legislative authority of the State Legislatures.
- However, these powers are not absolute. They are made subject to Entry 33 of the Concurrent List, which empowers both Parliament and State Legislatures to make laws on certain specified goods — for example, foodstuffs, cattle fodder, raw cotton, raw jute, and products of industries declared to be of national importance.

- Therefore, while the Concurrent List covers some aspects of trade related to specific goods, "trade and commerce within the State" as a general subject is placed in the State List, not in the Concurrent List. **So, Statement 4 is not correct.**

48. Which of the following Constitutional Amendment Acts provided that the total number of existing seats allocated to various states in the Lok Sabha on the basis of the 1971 census shall remain unchanged until the first census taken after 2026?
- (a) 83rd Amendment
(b) 84th Amendment
(c) 85th Amendment
(d) 86th Amendment

EXPLANATION:

As per the Constitution (Eighty-Third Amendment) Act 2000, Article 243D provides for reservation for the Scheduled Castes and the Scheduled Tribes in every Panchayat. Arunachal Pradesh is a State inhabited fully by indigenous tribal people. No Scheduled Castes exist in the State. No reservation of seats for the Scheduled Castes has been made in the State Legislative Assembly and no provisions exist under any law to that effect. There is also no reservation for the Scheduled Castes in State Government services.

Thus, the Act amended Article 243 M to provide that no reservation in Panchayats be made in favour of SC/ST in Arunachal Pradesh, where the whole population is tribal. **So, Option (a) is not correct.**

The 84th Amendment to the Constitution in 2002 had put a freeze on the delimitation of Lok Sabha and State Assembly constituencies till the first Census after 2026.

As per the amendment (i) the total number of existing seats as allocated to various States in the House of the People on the basis of 1971 census shall remain unaltered till the first census to be taken after the year 2026; (ii) the total number of existing seats in the Legislative Assemblies of all States as fixed on the basis of 1971 census shall also remain unaltered till the first census to be taken after the year 2026;". **So, Option (b) is correct.**

The Constitution (85th Amendment) Act, which was enacted by Parliament in 2001, allows for seniority-based promotions within the government sector. The fundamental goal of the 85th Amendment Act, 2001, was to extend the advantage of the reservation to SC/STs in areas of promotion and subsequent seniority. The modification substituted the words "in matters of promotion to any class" for the phrases "in matters of promotion, with consequential seniority, to any class" in clause (4A) of Article 16 of the Constitution. **So, Option (c) is not correct.**

The 86th Amendment, passed in 2002, was a response to the persistent calls for making education a fundamental right. The amendment inserted a new provision (Article 21A) in the Constitution, making the right to education a justiciable right. It also amended Articles 45 and 51A to reflect the increased responsibility of the State and parents.

Article 21A provides that "The State shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the State may, by law, determine." **So, Option (d) is not correct.**

49. Consider the following statements:

1. When a State Legislative Assembly is dissolved, its members cease to be qualified to vote in the Presidential election.
2. The President can promulgate ordinances when the Parliament is not in session, and such ordinances must be approved by the Parliament within six months of its reassembly.

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

EXPLANATION:

In case of Presidential election in India, only elected MPs and elected MLAs of the States and the Union Territories of Delhi and Puducherry form the Electoral College.

When a State Legislative Assembly is dissolved, it has no sitting MLAs, as the House itself ceases to exist.

Former MLAs are no longer considered elected members and therefore cannot vote in the Presidential election.

If an Assembly remains dissolved and fresh elections are not held before the Presidential election, that State simply contributes no MLA votes. **So, Statement 1 is correct.**

The promulgation of an ordinance is the legislative power of the President. He can promulgate ordinances when the Parliament is not in session.

These ordinances must be approved by the Parliament within six weeks of its reassembly. He can also withdraw an ordinance at any time. Thus, the ordinance must be approved by the parliament within six weeks of its reassembly. **So, Statement 2 is not correct.**

ADDITIONAL INFORMATION:

LEGISLATIVE POWERS AND FUNCTIONS OF PRESIDENT	
President is a part of Parliament	➤ The President is an integral part of the Union Parliament, which consists of the President, the Lok Sabha, and the Rajya Sabha. ➤ He summons Parliament, can prorogue either House, and may dissolve the Lok Sabha when necessary.
Summons and Addresses Parliament	➤ The President addresses Parliament at the first session after each general election and at the beginning of every annual session, explaining the reasons for its summoning. ➤ Under Article 86(2), he may also send messages to either House when required, though this is usually done only in exceptional situations.
Nomination	➤ The President nominates members to both Houses of Parliament to ensure representation of groups that may not get adequate representation through direct elections.
Power in respect of Bill	➤ A bill passed by both Houses becomes law only after the President's assent. He may either give assent or withhold it. ➤ However, if Parliament passes the bill again (with or without amendments) and presents it a second time, the President must give assent under Article 111. ➤ Certain bills require the President's prior approval before they are introduced in Parliament For example, bills involving the formation of new States or alteration of State boundaries. ➤ Introduction of a Money Bill also requires the President's recommendation.
Bill passed by a State Legislature	➤ A Governor may reserve a State bill for the President's consideration under Article 200. ➤ In such cases, the President decides whether to approve or withhold assent to the bill.

50. With reference to the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, consider the following statements:

1. The Act provides for Special Courts for the trial of such offences.
2. The Act does not apply to crimes between SCs or STs.
3. The Act allows for anticipatory bail to the accused in all cases.

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 only

EXPLANATION:

The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 is a law enacted to prevent offences of atrocities against members of SCs and STs. It provides for the establishment of Special Courts for the trial of such offences, and ensures relief and rehabilitation for victims, along with other related measures.

Under Section 14 of the Act, the State Government with the concurrence of the Chief Justice of the High Court may designate a Court of Session in each district as a Special Court for trying offences under this Act. **So, Statement 1 is correct.**

The SC/ST (Prevention of Atrocities) Act, 1989 criminalizes specific offences of “atrocities” committed against members of Scheduled Castes (SCs) or Scheduled Tribes (STs) by persons who do not belong to these communities.

For an offence to fall under this Act:

- The victim must be an SC or ST member
- The accused must be a non-SC/ST person
- If both the accused and the victim belong to SC/ST, the Act does not apply; instead, relevant provisions of the IPC (now Bharatiya Nyaya Sanhita, 2023) would apply. **So, Statement 2 is correct.**

The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2018, introduced the following key changes:

- **No Preliminary Inquiry Required**
 - Police must register an FIR as soon as information about an offence under the Act is received.
 - No preliminary inquiry is needed before filing the FIR.
- **No Prior Approval Needed for Arrest**
 - Police can arrest the accused without seeking prior sanction, even if the accused is a public servant.
- **No Anticipatory Bail**
 - Section 18A was added to reinforce that anticipatory bail is not allowed for anyone accused of committing atrocities against SC/ST individuals.
 - Therefore, anticipatory bail is barred when a prima facie case under the Act exists. **So, Statement 3 is not correct.**

Supreme Court Ruling: The Supreme Court recently cancelled anticipatory bail granted in a caste-crime case, reaffirming the bar under Section 18 of the SC/ST Act.

- In *Kiran vs. Rajkumar Jivaraj Jain*, a Bench led by Chief Justice B. R. Gavai held:
- Courts cannot grant anticipatory bail if a prima facie case under the Act is established.
- Courts must not conduct a “mini-trial” while assessing bail at the pre-trial stage.
- The case involved caste-based assault, abuse, and intimidation arising from an electoral dispute.

51. Commercial and prohibited speeches are protected under:

- (a) Article 19 of the Indian Constitution
(b) Article 21 of the Indian Constitution
(c) Article 29 of the Indian Constitution
(d) **None of the above**

EXPLANATION:

The Supreme Court recently directed stand-up comedian Samay Raina, host of the YouTube show India's Got Latent, and four other comedians, to issue unconditional public apologies on their social media platforms.

➤ The Commercial and prohibited speeches are not covered under the fundamental right.

Commercial speech is any form of communication that promotes a product, service, or brand, which includes advertisements, sponsored content by influencers, satirical films or books that earn money, and even memes or comedy sketches that are monetised. In 1995, the concept was challenged in the Tata Press Ltd. v. MTNL case, and the court ruled that advertisements have informational value and they help people make choices. Hence, even if speech is commercial, it still deserves protection.

- Thus, In Tata Press Ltd. v. Mahanagar Telephone Nigam Ltd. (1995), the Supreme Court of India held that commercial speech (advertising) is part of the right to freedom of speech and expression under Article 19(1)(a) of the Constitution of India.
- In Hamdard Dawakhana v. Union of India (1959/60), the Court held that certain commercial advertisements (specifically misleading ones for drugs) did not fall under Article 19(1)(a) because they were more about trade/business than the propagation of ideas.

So, Option (d) is correct.

52. Consider the following statements:

Statement 1 :

The reservation of thirty per cent of seats for women in Parliament and State legislatures does not require a Constitutional amendment.

Statement 2 :

Political parties contesting elections can allocate thirty-three per cent of the seats they contest to women candidates without any constitutional amendment.

Which one of the following is correct with respect to the above statements?

- Both Statement-I and Statement-II are correct, and Statement-II explains Statement-I.
- Both Statement I and Statement II are correct, but Statement II does not explain Statement I.
- Statement I is correct, but Statement II is incorrect.
- Statement I is incorrect, but Statement II is correct.**

EXPLANATION:

The Constitution (106th Amendment) Act, 2023, also known as the Women Reservation Act, 2023 (Nari Shakti Vandan Adhiniyam), passed through bipartisan efforts on 21st September 2023, which seeks to reserve one-third of the total number of seats for women in the Lok Sabha, State Legislative Assemblies and the Delhi Assembly.

A constitutional amendment is required only when the Constitution needs to be changed. Since reservation of seats in legislatures affects constitutional provisions like Articles 330, 332, 334, etc., Parliament cannot implement such reservations through a simple law or executive order. **So, Statement I is not correct.**

Political parties are voluntary associations or organised groups of individuals who share the same political views and who try to gain political power through constitutional means, and who desire to work to promote the national interest.

Political parties can freely choose their candidates and their tickets to women without requiring any constitutional amendment. **So, Statement II is correct.**

53. Which one of the following statements regarding the 'Exit Poll' is correct?

- (a) **'Exit Poll' is a term used to denote a post-election survey of voters regarding the candidate in whose favour they had exercised their franchise.**
- (b) 'Exit Poll' and 'Option Poll' are the same.
- (c) 'Exit Poll' is a device through which the results of voting can be most exactly predicted.
- (d) 'Exit Poll' is an administrative device made recently by the Chief Election Commissioner to prevent impersonation.

EXPLANATION:

An exit poll is a survey conducted by market research agencies and media organisations with voters immediately after they exit the polling booth.

Unlike an opinion poll, which measures voter intent before the election, an exit poll captures actual voting behaviour, asking voters directly, "Which party or candidate did you just vote for?" This distinction provides a more immediate, though not always perfect, indication of the election outcome. Thus, 'Exit Poll' is a post-election survey of voters regarding the candidate in whose favour they had exercised their franchise. **So, Option (a) is correct.**

ADDITIONAL INFORMATION:

EXIT POLL	
About	Exit polls are surveys conducted immediately after voters leave polling stations. They aim to predict the outcome of the elections before the official results are declared. Here are ten things students must know about this electoral process: ➤ Purpose: Exit polls provide an early indication of the likely outcome of the elections based on voter responses. ➤ Methodology: Pollsters ask voters whom they voted for as they exit polling stations. ➤ Sampling: A representative sample of voters from various polling stations is selected to participate in the survey. ➤ Timing: Conducted on the day of the election after voters have cast their votes. ➤ Publication: Exit poll results are usually published immediately after polling concludes. ➤ Accuracy: They can provide a snapshot of voting patterns but are not always accurate. ➤ Legal Restrictions: In India, the Election Commission bans the publication of exit polls during the voting period to avoid influencing voters. ➤ Influence: Exit polls can influence public perception and political strategies. ➤ Comparison with Opinion Polls: Unlike opinion polls conducted before elections, exit polls are based on actual voter behavior. ➤ Historical Context: Exit polls have a mixed track record, sometimes closely predicting results and at other times, missing the mark significantly.

54. Consider the following statements:

1. As the President is the supreme commander of the defence forces, the Prime Minister has to take all major decisions regarding defence only after prior approval by the President.
2. The Prime Minister has to communicate to the President all decisions of the Cabinet relating to administration and proposals for legislation.

Which of the above is/are constitutionally obligatory for the Prime Minister of India?

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

EXPLANATION:

The President of India holds both administrative and military powers. As the Supreme Commander of the Defence Forces, the President appoints the Chiefs of the Army, Navy, and Air Force. He also has the formal power to declare war or conclude peace, subject to the approval of Parliament. However, this is largely a ceremonial and constitutional role.

- The real executive power rests with the Council of Ministers, headed by the Prime Minister.
- Article 74 states that there shall be a Council of Ministers, with the Prime Minister at the head, to aid and advise the President, who shall, in the exercise of his functions, act in accordance with such advice.
- Therefore, the Prime Minister and the Council of Ministers do not require the President's prior approval for defence-related decisions, which are executed under their guidance. **So, Statement 1 is not correct.**

According to Article 78, it shall be the duty of the Prime Minister:

- To communicate to the President all decisions of the Council of Ministers relating to the administration of the affairs of the Union and proposals for legislation. This is a constitutional obligation under Article 78. **So, Statement 2 is correct.**
- To furnish such information relating to the administration of the affairs of the Union and proposals for legislation as the President may call for
- If the President so requires, to submit for the consideration of the Council of Ministers any matter on which a decision has been taken by a Minister but which has not been considered by the Council.

ADDITIONAL INFORMATION:

POWERS AND FUNCTIONS OF THE PRESIDENT	
Judicial Powers	The judicial powers and functions of the President are: ➤ He appoints the Chief Justice and the judges of the Supreme Court and the high courts. ➤ He can seek advice from the Supreme Court on any question of law or fact. However, the advice tendered by the Supreme Court is not binding on the President. ➤ He can grant pardon, reprieve, respite and remission of punishment, or suspend, remit or commute the sentence of any person convicted of any offence: • In all cases where the punishment or sentence is by a court-martial; • In all cases where the punishment or sentence is for an offence against a Union law, and • In all cases where the sentence is a sentence of death.
Diplomatic Powers	➤ The international treaties and agreements are negotiated and concluded on behalf of the President. ➤ However, they are subject to the approval of the Parliament. ➤ He represents India in international forums and affairs and sends and receives diplomats like ambassadors, high commissioners, and so on.
Military Powers	➤ He is the supreme commander of the defence forces of India. ➤ In that capacity, he appoints the chiefs of the Army, the Navy and the Air Force. ➤ He can declare war or conclude peace, subject to the approval of the Parliament.
Emergency Powers	In addition to the normal powers mentioned above, the Constitution confers extraordinary powers on the President to deal with the following three types of emergencies: ➤ National Emergency (Article 352) ➤ President's Rule (Article 356 & 365) ➤ Financial Emergency (Article 360)

55. Who among the following are members of the Inter-State Council?

1. Chief Ministers of all States
2. Chief Ministers of Union Territories having Legislative Assemblies
3. Governors of all States
4. Administrators of Union Territories not having Legislative Assemblies

Select the correct answer using the code given below:

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

EXPLANATION:

Article 263 contemplates the establishment of an Inter-State Council to effect coordination between the two states and between the Centre and states. The Inter-State Council was established in 1990. It consists of the following members:

- Prime Minister as the Chairman
- Chief ministers of all the states. **So, Statement 1 is correct.**
- Chief ministers of union territories with legislative assemblies. **So, Statement 2 is correct.**
- Administrators of union territories do not have legislative assemblies. **So, Statement 4 is correct.**
- Governors of States under President's rule (Not the Governors of all states). **So, Statement 3 is not correct.**
- Six Central cabinet ministers, including the Home Minister, will be nominated by the Prime Minister.
- Five Ministers of Cabinet rank / Minister of State (independent charge) nominated by the Chairman of the Council (i.e., Prime Minister) are permanent invitees to the Council.

ADDITIONAL INFORMATION:

INTER-STATE COUNCIL	
About	The council is a recommended body on issues relating to interstate, Centre-state and Centre-Union territories relations. It aims at promoting coordination between them by examining, discussing and deliberating on such issues. Its duties, in detail, are as follows: ➤ Investigating and discussing such subjects in which the states or the centre have a common interest; ➤ Making recommendations upon any such subject for the better coordination of policy and action on it; and ➤ Deliberating upon such other matters of general interest to the states as may be referred to it by the chairman. ➤ The Council may meet at least three times a year. There is also a Standing Committee of the Council. It was set up in 1996 for continuous consultation and processing of matters for the consideration of the Council. ➤ It consists of the following members: • Union Home Minister as the Chairman • Five Union Cabinet Ministers • Nine Chief Ministers The Council is assisted by a secretariat called the Inter-State Council Secretariat. ➤ This secretariat was set up in 1991 and is headed by a secretary to the Government of India. ➤ Since 2011, it has also been functioning as the secretariat of the Zonal Councils.

56. Which of the following subjects were transferred from the State List to the Concurrent List by the 42nd Amendment Act, 1976?

1. Protection of wild animals and birds
2. Forests
3. Weights and Measures
4. Electricity

Select the correct answer using the code given below:

(a) 1, 2 and 3 only

(b) 1 and 4 only

(c) 2 and 4 only

(d) 1, 2, 3 and 4

EXPLANATION:

Both the Parliament and the state legislature can make laws with respect to any of the matters enumerated in the Concurrent List.

- This list has at present 52 subjects (originally 473 subjects) like criminal law and procedure, civil procedure, marriage and divorce, population control and family planning, **electricity**, labour welfare, economic and social planning, drugs, newspapers, books and printing press, and others.
- Therefore, electricity is in the concurrent list well before the 42nd Amendment Act's addition of other subjects. **So, Statement 4 is not correct.**
- The 42nd Amendment Act of 1976 transferred five subjects to the Concurrent List from the State List, that is,
 - Education,
 - Forests,
 - Weights and measures,
 - Protection of wild animals and birds,
 - Administration of justice; constitution and organisation of all courts except the Supreme Court and the high courts. **So, Statements 1, 2 and 3 are correct.**

ADDITIONAL INFORMATION:

DISTRIBUTION OF LEGISLATIVE SUBJECTS	
About	The Constitution provides for a three-fold distribution of legislative subjects between the Centre and the states, viz., List-I (the Union List), List-II (the State List) and List-III (the Concurrent List) in the Seventh Schedule: ➤ The Parliament has exclusive powers to make laws with respect to any of the matters enumerated in the Union List. This list has at present 98 subjects (originally 971 subjects) like defence, banking, foreign affairs, currency, atomic energy, insurance, communication, inter-state trade and commerce, census, audit and so on. ➤ The state legislature has, in normal circumstances, exclusive powers to make laws with respect to any of the matters enumerated in the State List. This has at present 59 subjects (originally 662 subjects) like public order, police, public health and sanitation, agriculture, prisons, local government, fisheries, markets, theatres, gambling and so on. ➤ The power to make laws with respect to residuary subjects (i.e., the matters which are not enumerated in any of the three lists) is vested in the Parliament. This residuary power of legislation includes the power to levy residuary taxes.

57. With reference to the distinction between the Indian and British Parliamentary systems, consider the following statements:

1. In India, the Head of the State is elected, whereas in Britain, the Head of the State holds a hereditary position.
2. The British Parliament is sovereign, whereas the Indian Parliament is limited by a written Constitution and judicial review.
3. In India, only members of Parliament can be appointed as ministers, whereas in Britain, even non-members can become ministers.

Which of the statements given above are correct?

(a) 1 and 2 only

(b) 1, 2 and 3

(c) 2 and 3 only

(d) 1 and 3 only

EXPLANATION:

The parliamentary system of Government in India is largely based on the British parliamentary system. However, it never became a replica of the British system and differs in the following respects:

- **Head of State:** India has a republican system in place of the British monarchical system. In other words, the Head of State in India (that is, the President) is elected, while the Head of State in Britain (that is, King or Queen) enjoys a hereditary position. **So, Statement 1 is correct.**
- **Parliament:** The British system is based on the doctrine of the sovereignty of Parliament, while Parliament is not supreme in India and enjoys limited and restricted powers due to a written Constitution, a federal system, judicial review and fundamental rights. **So, Statement 2 is correct.**
- **Members of Parliament:** Usually, the members of Parliament alone are appointed as ministers in Britain. In India, a person who is not a member of Parliament can also be appointed as minister, but for a maximum period of six months. **So, Statement 3 is not correct.**
- **Prime Minister:** In Britain, the prime minister should be a member of the Lower House (House of Commons) of Parliament. In India, the prime minister may be a member of any of the two Houses of Parliament.
- **Ministers:** Britain has a system of legal responsibility of the minister, while India has no such system. Unlike in Britain, the ministers in India are not required to countersign the official acts of the Head of the State.
- **Opposition Party:** 'Shadow cabinet' is a unique institution of the British cabinet system. It is formed by the opposition party to balance the ruling cabinet and to prepare its members for future ministerial office. There is no such institution in India.

58. With reference to the procedure for amending the Constitution of India under Article 368, consider the following statements:

1. A Constitutional Amendment Bill can be introduced only in the Lok Sabha.
2. In case of disagreement between the two Houses, a joint sitting can be held to resolve the deadlock.
3. The President can neither withhold nor return a Constitutional Amendment Bill for reconsideration.

Which of the statements given above is/are correct?

(a) 1 and 2 only

(b) 2 and 3 only

(c) 3 only

(d) 1 and 3 only

EXPLANATION:

Article 368 in Part XX of the Constitution deals with the powers of Parliament to amend the Constitution and its procedure.

- It states that the Parliament may, in exercise of its constituent power, amend by way of addition, variation or repeal any provision of the Constitution in accordance with the procedure laid down for the purpose.
- However, the Parliament cannot amend those provisions which form the 'basic structure' of the Constitution. This was ruled by the Supreme Court in the Kesavananda Bharati case (1973).
- According to Article 368, an amendment of the Constitution can be initiated only by the introduction of a bill for the purpose in **either House of Parliament (Lok Sabha and Rajya Sabha)** and not in the state legislatures.
- The bill can be introduced either by a minister or by a private member and does not require prior permission from the president.

Thus, Constitutional amendment bills can be introduced in both houses of Parliament. **So, Statement 1 is not correct.**

The Constitution amendment bill must be passed in each House by a special majority, that is, a majority of the total membership of the House and a majority of two-thirds of the members of the House present and voting.

- Each House must pass the bill separately.
- In case of a disagreement between the two Houses, there is no provision for holding a joint sitting of the two Houses for the purpose of deliberation and passage of the bill. **So, Statement 2 is not correct.**

Suppose the Constitutional amendment bill seeks to amend the federal provisions of the Constitution. In that case, it must also be ratified by the legislatures of half of the states by a simple majority, that is, a majority of the members of the House present and voting.

- After being duly passed by both the Houses of Parliament and ratified by the state legislatures, where necessary, the bill is presented to the president for assent.
- The president must give his assent to the bill. He can neither withhold his assent to the bill nor return the bill for reconsideration by the Parliament. **So, Statement 3 is correct.**

59. Which of the following provisions of the Constitution cannot be amended by a simple majority of Parliament?

- (a) Formation of new states and alteration of boundaries.
- (b) Creation or abolition of Legislative Councils in States.
- (c) Delimitation of constituencies.
- (d) Distribution of legislative powers between the Union and the States.**

EXPLANATION:

The Constitution can be amended in three ways:

- Amendment by simple majority of the Parliament,
- Amendment by special majority of the Parliament, and
- Amendment by special majority of the Parliament and the ratification of half of the state legislatures.

Amended by a simple majority: The following 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:

- Admission or establishment of new states.
- Formation of new states and alteration of areas, boundaries or names of existing states. **So, Option (a) is not correct.**
- Abolition or creation of legislative councils in states. **So, Option (b) is not correct.**

- Second Schedule—emoluments, allowances, privileges and so on of the president, the governors, the Speakers, judges, etc.
- Quorum in Parliament.
- Salaries and allowances of the members of Parliament.
- Rules of procedure in Parliament.
- Privileges of the Parliament, its members and its committees.
- Use of English language in Parliament.
- Number of puisne judges in the Supreme Court.
- Conferment of more jurisdiction on the Supreme Court.
- Use of official language.
- Citizenship—acquisition and termination.
- Elections to Parliament and state legislatures.
- Delimitation of constituencies. **So, Option (c) is not correct.**
- Union territories.
- Fifth Schedule—administration of scheduled areas and scheduled tribes.
- Sixth Schedule—administration of tribal areas.

Distribution of legislative powers between the Union and the states is a provision of the Constitution which are related to the federal structure of the polity and can be amended by a special majority of the Parliament, and with the consent of half of the state legislatures by a simple majority.

The Parliament cannot amend this provision of the Constitution by a simple majority. **So, Option (d) is correct.**

ADDITIONAL INFORMATION:

TYPES OF AMENDMENTS	
About	➤ Article 368 provides for two types of amendments, that is, by a special majority of Parliament and also through the ratification of half of the states by a simple majority. ➤ But some other articles provide for the amendment of certain provisions of the Constitution by a simple majority of Parliament, that is, a majority of the members of each House present and voting (similar to the ordinary legislative process). ➤ Notably, these amendments are not deemed to be amendments of the Constitution for the purposes of Article 368.
Simple Majority	➤ As per Article 368, some of the provisions of the Constitution can be amended by obtaining a simple majority of members present and voting. A simple majority means that 50% of the members present and voting must vote in approval of the proposed amendment.
By Special Majority of Parliament	➤ The majority of the provisions in the Constitution need to be amended by a special majority of the Parliament, that is, a majority 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 the fact whether there are vacancies or absentees. ➤ 'Strictly speaking, the special majority is required only for voting at the third reading stage of the bill but by way of abundant caution the requirement for special majority has been provided for in the rules of the Houses in respect of all the effective stages of the bill. ➤ The provisions which can be amended by this way includes: • Fundamental Rights; • Directive Principles of State Policy; and

	All other provisions, the Simple Majority and Special Majority of Parliament and Consent of States do not cover.
By Special Majority of Parliament and Consent of States	➤ Those provisions of the Constitution which are related to the federal structure of the polity can be amended by a special majority of the Parliament, and also with the consent of half of the state legislatures by a simple majority. ➤ If one or some or all the remaining states take no action on the bill, it does not matter; the moment half of the states give their consent, the formality is completed. There is no time limit within which the states should give their consent to the bill. ➤ The following provisions can be amended in this way: - Election of the President and its manner. - Extent of the executive power of the Union and the states. - Supreme Court and high courts. - Distribution of legislative powers between the Union and the states. - Goods and Services Tax Council. - Any of the lists in the Seventh Schedule. - Representation of states in Parliament. - Power of Parliament to amend the Constitution and its procedure (Article 368 itself).

60. With reference to the Prime Minister of India, consider the following statements:

1. He/she sets up various Cabinet Committees through the Government of India (Transaction of Business) Rules, 1961.
2. He/she is the head of the Cabinet Committee on Security (CCS).
3. He/she is the crisis manager-in-chief at the political level during emergencies.

Which of the statements given above are correct?

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

EXPLANATION:

Cabinet Committees are extra-constitutional bodies, meaning they are not mentioned in the Indian Constitution.

- As the head of the government, the Prime Minister constitutes the Standing Committees of the Cabinet and assigns them specific functions to ensure smooth governance.
- These committees enable the Prime Minister to delegate decision-making on specific policy areas to smaller groups of ministers, thereby reducing the burden on the full Union Cabinet.
- The Prime Minister has the authority to select the members of each committee and define their roles according to the Government of India (Transaction of Business) Rules, 1961.
- When a new government takes office or the Cabinet undergoes a reshuffle, the Prime Minister constitutes or reconstitutes the Cabinet Committees.
- The Prime Minister can also modify the number of committees and alter their functions as required to meet the priorities of the government. **So, Statement 1 is correct.**

The Cabinet Committee on Security is the country's highest decision-making body on security affairs.

The major Functions of the Cabinet Committee on Security is that it,

- Deals with all defence related issues.
- Deals with issues relating to law and order, and internal security.
- Deals with policy matters concerning foreign affairs that have internal or external security implications including cases relating to agreements with other countries on security related issues.
- Deals with economic and political issues impinging on national security.

- Reviews the manpower requirements relating to national security including proposals concerning creation of posts carrying the pay scale or pay band plus grade pay equivalent to that of a joint secretary to the government of India and higher, and setting up new structures to deal with security related issues.

- Deals with all matters relating to atomic energy.

The following are members of the Cabinet Committee on Security:

- Prime Minister (Head of the committee)
- Home Minister
- Defence Minister
- Finance Minister
- External Affairs Minister
- The following individuals, who are essential personnel, attend the meetings:
- National Security Advisor (NSA)
- Cabinet Secretary
- Defence Secretary

Thus, The Prime Minister is the head of the Cabinet Committee on Security. **So, Statement 2 is correct.**

The Prime Minister has various other roles:

- He is the chairman of the NITI Ayog (which succeeded the planning commission), National Integration Council, InterState Council, National Water Resources Council and some other bodies.
- He plays a significant role in shaping the foreign policy of the country.
- He is the chief spokesman of the Union government.
- He is the crisis manager-in-chief at the political level during emergencies. **So, Statement 3 is correct.**
- As a leader of the nation, he meets various sections of people in different states and receives memoranda from them regarding their problems, and so on.
- He is the leader of the party in power.
- He is the political head of the services.

61. With reference to the Attorney General of India (AGI), consider the following statements:

1. He/she has a fixed tenure of five years.
2. He/she can advise any ministry or department of the Government of India.
3. He/she is not prohibited from engaging in private legal practice.

How many of the above statements is/are correct?

- (a) Only one**
(b) Only two
(c) All three
(d) None

EXPLANATION:

The Constitution (Article 76) has provided the office of the Attorney General for India. He/she is the highest law officer in the country.

- **Appointed:** The Attorney General (AG) is appointed by the President. He/she must be a person who is qualified to be appointed as a judge of the Supreme Court. In other words, he/she must be a citizen of India and must have been a judge of some high court for five years or an advocate of some high court for ten years or an eminent jurist, in the opinion of the President.
- **Term:** Article 76(4) 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/her removal. He/she holds office during the pleasure of the President. This means that he/she may be removed by the President at

any time. He/she may also quit office by submitting a resignation to the President. Conventionally, he/she resigns when the government (council of ministers) resigns or is replaced, as he/she is appointed on its advice. **So, Statement 1 is not correct.**

As the chief law officer of the Government of India, the duties of the Attorney General include:

Article 76(2) To give advice to the Government of India upon such legal matters, which are referred to him/her by the President.

- He/she should not advise any ministry or department of the Government of India or any statutory organisation or any public sector undertaking unless the proposal or a reference in this regard is received through the Ministry of Law and Justice, Department of Legal Affairs. **So, Statement 2 is not correct.**
- However, the Attorney General is not a full-time counsel for the Government. He/she does not fall into the category of government servants. Further, he/she is not debarred from private legal practice. **So, Statement 3 is correct.**

ADDITIONAL INFORMATION:

ATTORNEY GENERAL OF INDIA	
Duties And Functions	➤ To perform such other duties of a legal character that are assigned to him/her by the President. ➤ To discharge the functions conferred on him/her by the Constitution or any other law.
President Assigned duties	The President has assigned the following duties to the Attorney General: ➤ To appear on behalf of the Government of India in all cases in the Supreme Court in which the Government of India is concerned. ➤ To represent the Government of India in any reference made by the President to the Supreme Court under Article 143 of the Constitution. ➤ To appear (when required by the Government of India) in any high court in any case in which the Government of India is concerned.
Rights	➤ In the performance of his/her official duties, the Attorney General has the right of audience in all courts in the territory of India. ➤ Further, he/she 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/she may be named a member, but without a right to vote. ➤ He/she also enjoys all the privileges and immunities that are available to a member of Parliament.
Limitations	In order to avoid any complication and conflict of duty, the following limitations are placed on the Attorney General: ➤ He/she should not advise or hold a brief against the Government of India. ➤ He/she should not advise or hold a brief in cases in which he/she is called upon to advise or appear for the Government of India. ➤ He/she should not defend accused persons in criminal prosecutions without the permission of the Government of India. ➤ He/she should not accept appointment as a director in any company or corporation without the permission of the Government of India.

62. With reference to the joint sitting of parliament, consider the following:

1. Article 108 of the Indian Constitution provides for a joint sitting of both Houses of Parliament to resolve a deadlock on a bill.
2. The provision of a joint sitting is applicable to ordinary or financial bills only, and not to money bills or Constitutional Amendment bills.
3. The joint sitting is governed by the Rules of Procedure of both Lok Sabha and Rajya Sabha.
4. Joint sittings of Parliament have occurred only three times since 1950.

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 4 only**

EXPLANATION:

In case of a deadlock between both, the houses of Parliament regarding the passing of a bill, the President of India may summon a joint sitting of both the houses.

The joint sitting of both the houses is presided over by the Speaker of the Lok Sabha and in his absence, the Deputy Speaker of the Lok Sabha discharges this function.

Article 108 of the Indian Constitution provides provisions for this mechanism which breaks the deadlock between both the houses.

According to this Article, a joint session can be called upon only if:

- A bill, after being passed out in one House, and the other House rejects it;
- One of the houses doesn't accept the amendments passed by the other House;
- When 6 months elapse, and the other House doesn't pass the bill.

There are some exceptions available to the Joint Sitting of the Houses:

- Money Bill: According to the Constitution, Money bills only require approval from the Lok Sabha, thus, in case of money bill the situation arises for a Joint Sitting of the Houses.
- Constitutional Amendment Bills: A Constitutional amendment bill can be passed through a 2/3rd majority of both the houses and doesn't have a provision for Joint Sittings in case of disagreement between the houses. **So, Statements 1 and 2 are correct.**

The Speaker of Lok Sabha presides over a joint sitting of the two Houses and the Deputy Speaker, in his absence. If the Deputy Speaker is also absent from a joint sitting, the Deputy Chairman of Rajya Sabha presides. If he is also absent, such other person as may be determined by the members present at the joint sitting, presides over the meeting. It is clear that the Chairman of Rajya Sabha does not preside over a joint sitting as he is not a member of either House of Parliament.

The quorum to constitute a joint sitting is one-tenth of the total number of members of the two Houses. The joint sitting is governed by the Rules of Procedure of Lok Sabha and not of Rajya Sabha. **So, Statement 3 is not correct.**

Since 1950, the provision regarding the joint sitting of the two Houses has been invoked only thrice. The bills that have been passed at joint sittings are:

- Dowry Prohibition Bill, 1960.
- Banking Service Commission (Repeal) Bill, 1977
- Prevention of Terrorism Bill, 2002. **So, Statement 4 is correct.**

63. Consider the following statements:

1. Article 123 of the Constitution empowers the President to promulgate ordinances.
 2. An ordinance will not be void under any circumstances until the commencement of the parliamentary sessions of both houses.
 3. The maximum life of an ordinance can be six months
 4. An ordinance cannot come into force from a back date
- How many of the statements given above is/are correct?

(a) Only one

(b) Only two

(c) Only three

(d) All four

EXPLANATION:

Article 123 of the Constitution empowers the President to promulgate ordinances when Parliament is not in session. These ordinances have the same force and effect as an Act of Parliament, but they operate only as temporary laws.

The ordinance-making power is considered the most important legislative power of the President, provided specifically to help the government deal with urgent or unforeseen situations where waiting for Parliament to reassemble would cause delay. **So, Statement 1 is correct.**

Though an ordinance has the same force as a law, it is only a temporary measure meant for use when Parliament is not in session. An ordinance becomes void in the following situations:

- The President may withdraw an ordinance at any time, even before Parliament reconvenes.
- The ordinance ceases to operate if both Houses of Parliament pass resolutions disapproving it.
- If Parliament takes no action, the ordinance automatically lapses six weeks after both Houses reassemble. **So, Statement 2 is not correct.**

The President may promulgate an ordinance only when both Houses, or even one of the Houses, are not in session. Since a law requires approval by both Houses, an ordinance issued when both Houses are in session is invalid.

- Every ordinance must be laid before both Houses once Parliament reconvenes.
- If approved by both Houses, it becomes an Act; If not acted upon, it ceases to operate six weeks after Parliament reassembles.
- If both Houses pass a resolution disapproving it, it will cease earlier.
- If the Houses meet on different dates, the six-week period is counted from the later date.
- Hence, the maximum possible life of an ordinance is six months and six weeks (six months being the maximum gap between sessions).
- Anything done under a lapsed ordinance remains valid.
- The President may withdraw an ordinance at any time, but only on the advice of the Council of Ministers.

Therefore, the maximum life of an ordinance can be six months and six weeks, in case of non-approval by the Parliament (six months being the maximum gap between the two sessions of Parliament). **So, Statement 3 is not correct.**

An ordinance is a temporary law issued by the President, but it has full legislative powers like an Act of Parliament. This means it can:

- **Operate retrospectively** – it can take effect from a date in the past, not just from the day it is promulgated. **So, Statement 4 is not correct.**
- **Modify or repeal existing laws** – it can change or cancel an earlier Act of Parliament or even another ordinance.
- **Amend tax laws** – the ordinance can alter provisions related to taxation to meet urgent fiscal needs.

Limitation: An ordinance cannot be used to amend the Constitution. Constitutional amendments require a special procedure under Article 368, which cannot be bypassed by an ordinance.

ADDITIONAL INFORMATION:

ORDINANCE-MAKING POWER OF THE PRESIDENT	
About	The ordinance-making power is one of the most important legislative powers of the President. It allows the President to deal with urgent or unforeseen situations when Parliament is not in session. Presidential Satisfaction: ➤ The President can issue an ordinance only when satisfied that an immediate action is necessary. ➤ In <i>Cooper v. Union of India</i> (1970), the Supreme Court held that the President's satisfaction can be challenged in court if it is malafide, such as deliberately proroguing Parliament to bypass its authority. ➤ The 38th Amendment (1975) had made this satisfaction final and beyond judicial review, but the 44th Amendment (1978) restored judicial scrutiny for malafide cases.
Scope of Power	➤ The ordinance-making power covers all subjects on which Parliament can legislate, except for duration. ➤ Ordinances must respect constitutional limits and cannot infringe on fundamental rights. ➤ This power is unusual globally and not commonly found in democracies like the USA or UK.
Replacement and Reporting	➤ Whenever a bill seeking to replace an ordinance is introduced in the Lok Sabha, a statement explaining the urgent need for the ordinance must be presented.
Judicial Limits (D.C. Wadhwa Case, 1987)	➤ The Supreme Court observed that in Bihar, between 1967 and 1981, 256 ordinances were repromulgated and kept in force for 1–14 years without getting approval from the legislature ➤ The Court ruled that successive repromulgation to bypass legislative approval violates the Constitution, and such ordinances can be struck down. ➤ Ordinances are an exceptional measure, not a substitute for the legislative powers of Parliament or State legislatures.

64. The 130th Constitution Amendment Bill was often seen in the news, which is related to
- Simplify legal processes to enhance ease of doing business.
 - Removal of a minister, if he/she is arrested and detained in custody on account of serious criminal offences.**
 - Empowers the Election Commission to conduct simultaneous elections.
 - None of the above.

EXPLANATION:

The Constitution (One Hundred and Thirtieth Amendment) Bill, 2025, was introduced in the Lok Sabha on August 20, 2025. ➤ It seeks to provide for the removal of the Prime Minister, a Chief Minister of a state, or any other Minister in the central or state government, if he is arrested and detained in custody on account of serious criminal offences. ➤ The Bill seeks to amend Articles 75 and 164 of the Constitution that deal with the Council of Ministers at the Union and State levels. ➤ It provides that a Minister, who has been arrested and detained for 30 consecutive days in relation to an allegation of committing an offence, which is punishable with imprisonment of at least five years, shall be removed from his/her office.
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- They would be removed on the advice tendered by the Prime Minister/Chief Minister (PM/CM). If the PM/CM does not tender such advice, the Minister concerned shall automatically cease to hold office from the 31st day.
 - If the PM/CM is arrested and taken into custody for 30 consecutive days, he/she shall tender his/her resignation on the 31st day.
- However, the PM, CM, or Minister can be subsequently appointed on being released from custody. **So, Option (b) is correct.**

ADDITIONAL INFORMATION:

130TH CONSTITUTION AMENDMENT BILL	
About	It also seeks to amend Article 239AA with similar provisions for the National Capital Territory of Delhi. ➤ These amendments to the Constitution would require a two-thirds majority in both houses of Parliament for their passage. ➤ Similar amendments have been proposed to parliamentary laws that govern the Union Territories of Jammu & Kashmir and Puducherry. ➤ These Bills have been referred to a Joint Parliamentary Committee (JPC) for scrutiny.
Existing laws	The <i>Representation of the People Act, 1951</i> (RP Act) provides that any person who is convicted in a criminal case and sentenced to not less than two years in jail, shall be disqualified from being a member of Parliament or State legislature for the period of their sentence and six years thereafter. ➤ Section 8(4) of the RP Act provided that with respect to a sitting member of Parliament or State legislature, such disqualification shall not take effect if an appeal is filed against such conviction. ➤ However, the <i>Supreme Court in Lily Thomas (2013)</i> struck down this clause as unconstitutional. It must be noted that the existing law only provides disqualification for being a member of Parliament or State Legislature and not for being a minister.

65. Consider the following statements:

1. The Rajya Sabha empowers Parliament to legislate on a subject listed in the State List in the national interest.
2. A Financial Bill not confined solely to matters under Article 110 can be introduced in the Rajya Sabha.
3. The power and status of the Rajya Sabha are equal to that of the Lok Sabha in initiating the removal of the Vice-President.

Which of the above statements are **not** correct?

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

EXPLANATION:

Rajya Sabha, as the federal chamber, has some special constitutional powers. Legislative subjects are divided into the Union List, State List, and Concurrent List, and normally Union and State Lists are separate, meaning one cannot legislate on the other's subjects.

- However, according to Article 249 of the Indian Constitution, if the Rajya Sabha passes a resolution by a majority of not less than two-thirds of the members present and voting stating that it is "necessary or expedient in the national interest" for Parliament to make a law on a matter in the State List.

- In that case, Parliament becomes empowered to make a law on the subject specified in the resolution, for the whole or any part of the territory of India, according to Article 249.
- Such a resolution remains in force for a maximum period of one year. Still, this period can be extended by one year at a time by passing a similar resolution further. **So, Statement 1 is correct.**

The Constitution classifies financial bills into three types:

- Money Bills (Article 110)
- Financial Bills (I) (Article 117(1))
- Financial Bills (II) (Article 117(3))

Money bills are a type of financial bill. So, all money bills are financial bills, but not all financial bills are money bills. Only bills that deal exclusively with the matters listed in Article 110 are classified as money bills, and the Speaker of the Lok Sabha certifies them as such.

Financial Bills (I)

- A Financial Bill (I), which does not contain solely the matters listed in Article 110, can be introduced only in the Lok Sabha and not in the Rajya Sabha. **So, Statement 2 is not correct.**
Example: A bill with a borrowing clause but not exclusively about borrowing.
- Similarities with Money Bills:
 - Can be introduced only in the Lok Sabha.
 - Can be introduced only on the recommendation of the President.
- Other features:
 - Rajya Sabha can reject or amend the bill.
 - Amendments reducing or abolishing taxes do not require the President's recommendation; all other amendments require it.
 - In case of disagreement between the two Houses, the President can summon a joint sitting.
 - After passing, the President can assent, withhold, or return the bill for reconsideration.

Financial Bills (II)

- A Financial Bill (II) deals with expenditure from the Consolidated Fund of India, but does not include matters listed in Article 110.
- It is treated as an ordinary bill and follows the same legislative procedure as other ordinary bills.
- It can be introduced in either House of Parliament. President's recommendation is not needed at this stage.
- Both Houses can reject or amend the bill.
- In case of disagreement between the two Houses, the President can summon a joint sitting to resolve the deadlock.

The powers and status of the Rajya Sabha are equal to those of the Lok Sabha in the Election and removal of the Vice-President. However, the Rajya Sabha alone can initiate the removal of the vice-president. He is removed by a resolution passed by the Rajya Sabha by an effective majority (which is a type of special majority) and agreed to by the Lok Sabha by a simple majority. **So, Statement 3 is not correct.**

66. Consider the following statements:

1. A bill that derogates the power of the High Court.
2. A Bill that relates to the imposition of taxes on water or electricity.
3. A bill imposing restrictions on trade and commerce.
4. A bill that falls within Article 360 during a financial emergency.
5. A bill relating to a subject enumerated in the concurrent list.

Which of the above State legislature bills, as recommended by the Sarkaria Commission, can the Governor reserve for the President's consideration?

- (a) 1,2,3 and 4 only
- (b) 2,3,4 and 5 only
- (c) 1,3,4, and 5 only
- (d) 1,2,3,4 and 5**

EXPLANATION:

The Sarkaria Commission on Centre-State Relations (1983-88) classified the State Bills reserved for the President's consideration under the Constitution in the following three categories:

- **Bills which must be reserved for the President's consideration:** These include Bills:
 - That dilute or affect the powers of the High Court in a way that undermines its constitutional role (Article 200). **So, Statement 1 is correct.**
 - That relate to the imposition of taxes on water or electricity in cases covered under Article 288. **So, Statement 2 is correct.**
 - That fall under Article 360, applicable during a Financial Emergency. **So, Statement 4 is correct.**
- **Bills that may be reserved for the President for specific constitutional purposes:** This category includes:
 - Bills seeking immunity from Articles 14 and 19, such as:
 - Bills for acquisition of estates, etc. (Article 31A)
 - Bills giving effect to certain Directive Principles of State Policy (Article 31C).
 - Bills on subjects in the Concurrent List, where Presidential assent is sought under Article 254 to override an inconsistent Union or existing law. **So, Statement 5 is correct.**
 - Bills imposing restrictions on trade and commerce, where prior Presidential sanction was required but not obtained under Article 304. **So, Statement 3 is correct.**
- **Bills that do not fall strictly under the above categories:**
 - Even if a Bill is not covered in Category 1 or 2, the Governor may still reserve it for the President under Article 200, if considered necessary.

ADDITIONAL INFORMATION:

SARKARIA COMMISSION	
About	The Sarkaria Commission was established in 1983 by the Central Government to review Centre-State relations in India. It was chaired by Justice R.S. Sarkaria, a retired Supreme Court judge, and submitted its report in 1988. According to the Commission: ➤ The existing federal structure of India is fundamentally sound; no major constitutional restructuring is needed. ➤ Indian federalism is a practical, cooperative arrangement, not a rigid division of powers. ➤ A strong Centre is essential to maintain national unity, but over-centralisation should be avoided as it weakens states.
Key recommendations	The Commission made 247 recommendations, out of which the Central Government implemented 180, including the creation of the Inter-State Council (1990). The following are some of the key recommendations: ➤ Strengthening Inter-Governmental Coordination • Establish a permanent Inter-State Council under Article 263. • Reactivate and restructure Zonal Councils to promote cooperative federalism. • Consult States before making laws on Concurrent List subjects. ➤ Centre-State Administrative Relations • Strengthen All-India Services and create more such services. • The President must communicate reasons when withholding assent from State Bills. • In appointment of Governors, the Chief Minister must be consulted, written into the Constitution.

	• The Governor's five-year term should not be disturbed except for compelling reasons • A Governor cannot dismiss a Council of Ministers that enjoys majority support. ➤ Emergency and Security Provisions • Article 356 (President's Rule) should be used sparingly and only as a last resort. • The Centre may deploy armed forces in a State without its consent, but should consult the State if possible. ➤ Financial Relations • Residuary taxation powers should remain with Parliament; other residuary powers should shift to the Concurrent List. • Net proceeds of corporation tax may be shared with States • A surcharge on income tax should be levied only for specific purposes and limited time. • Maintain the current roles of the Finance Commission and the Planning Commission. ➤ Other Recommendations: • The National Development Council should be renamed as the National Economic and Development Council (NEDC). • No Commission of Enquiry should be set up against a State Minister unless requested by Parliament. • Uniform implementation of the three-language formula. • No full autonomy to radio and television, but ensure decentralisation. • No change in the role of Rajya Sabha or the Centre's power to reorganise States. • Activate the Commissioner for Linguistic Minorities.
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67. With reference to factors affecting real voter participation in India, consider the following statements:

1. Migration often leads to a mismatch between a voter's residence and their polling location.
2. Remote areas require special polling arrangements to ensure reasonable access for voters.
3. Inducements during elections mainly influence voter turnout, not voter preference.

Which of the statements given above is/are correct?

(a) 1 and 2 only

(b) 2 only

(c) 1 and 3 only

(d) 1, 2 and 3

EXPLANATION:

The voter turnout in General Elections 2019 was 67.4 % and the Election Commission of India is concerned about the issue of over 30 Crore electors not exercising their franchise, and also differential voter turnout in various States/UTs.

It is understood that there are multifarious reasons for a voter not opting to register in a new place of residence, thus missing out on exercising the right to vote. Inability to vote due to internal migration (domestic migrants) is one of the prominent reasons to be addressed to improve voter turnout and ensure participative elections. Hence, there is a mismatch between where the voter lives and where their polling booth is located. **So, Statement 1 is correct.**

The Election Commission sets up special polling stations in forest areas/hilly regions/tribal regions/island territories/international border areas.

Remote and difficult regions require special arrangements by the Election Commission, such as additional polling stations or transport support, so that voters can access a booth without travelling unreasonable distances.

Logistical challenges affect voter participation and require special measures like airlifting EVMs, mobile teams, or creating stations even for a single voter. Thus, this factor indeed affects real voter participation. **So, Statement 2 is correct.**

Electoral inducements like (cash, liquor, gifts, freebies) are used primarily to influence voting choice, not just turnout. Their purpose is to sway whom a voter votes for. They may indirectly impact turnout, but their main target is voter preference, not only attendance. Turnout depends more on access and logistics than on inducements. **So, Statement 3 is not correct.**

ADDITIONAL INFORMATION:

CAUSES OF LOW VOTER TURNOUT IN INDIA	
Socio-Economic Factors	➤ Poverty and Illiteracy: A large proportion of India's population lives in poverty, especially in rural areas, where the economic focus is often on survival rather than participation in electoral processes. Illiteracy, particularly among older generations, compounds this issue, as many citizens may not understand the importance of voting or the procedures involved. In such circumstances, the electorate may either feel indifferent or disengaged from the political system. ➤ Rural-Urban Divide: The disparity between urban and rural areas plays a significant role in voter turnout. Rural areas often have limited access to information, infrastructure, and communication channels about the elections, leading to a lack of awareness and interest. Urban areas, on the other hand, generally witness higher turnout rates, partly due to better access to electoral resources and a higher level of political engagement.
Political Apathy and Disillusionment	➤ Lack of Trust in the Political System: Over the years, many Indian citizens have developed a sense of disillusionment with the political system. Corruption, unfulfilled promises, and the perceived inefficacy of elected officials have led to widespread political apathy. This disillusionment often causes people to believe that their vote will not make a difference, resulting in disengagement from the electoral process. ➤ Voter Fatigue: Elections in India, particularly general elections, are held regularly at various levels—national, state, and local. This constant cycle of elections often leads to voter fatigue, where citizens feel overwhelmed by the frequent need to cast their vote, leading to reduced participation over time.
Logistical Barriers	➤ Inadequate Voter Registration: One of the primary logistical barriers to higher voter turnout is the lack of proper voter registration systems. In many rural and remote areas, especially among marginalized communities, individuals are often unaware of the need to register, or the process itself is cumbersome and inaccessible. This results in many eligible voters not being on the electoral rolls. ➤ Accessibility Issues: Polling stations are not always easily accessible, especially in remote regions. Voters living in distant villages may find it difficult to travel to polling stations, either due to poor transportation infrastructure or lack of awareness about nearby polling locations. Moreover, individuals with disabilities often face barriers in terms of accessibility at voting booths.

68. With reference to the composition of the State Legislative Council (Vidhan Parishad), consider the following statements:

1. One-third of its members are elected by the members of local bodies in the State.
2. One-twelfth of its members are elected by graduates of at least three years' standing.
3. One-sixth of its members are nominated by the Governor from among persons with special knowledge or experience in literature, science, art, the cooperative movement or social service.
4. One-third of its members are elected by the Legislative Assembly from among persons who are not its members.

Which of the above statements are correct?

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

EXPLANATION:

India follows a bicameral system at both the centre and state levels. Under this system, the state's legislature is divided into two parts – the Legislative Assembly or Vidhan Sabha and the Legislative Council or Vidhan Parishad.

- Members of the Legislative Assembly are directly elected by the people through assembly elections.
- Vidhan Parishad or Legislative Council is a permanent body, which can be formed or abolished when the Legislative Assembly passes a special resolution.
- In other words, the Legislative Council is the upper house of the state. Its institution is outlined in Article 169 of the Constitution of India.

The members of the Council are either nominated by the Governor of the state or are indirectly elected. Of the total number of members of a legislative council:

- 1/3 are elected by the members of local bodies in the state, like municipalities, district boards, etc. **So, Statement 1 is correct.**
- 1/12 are elected by graduates of three years standing and residing within the state. **So, Statement 2 is correct.**
- 1/12 are elected by teachers of three years standing in the state, not lower in standard than secondary school,
- 1/3 are elected by the members of the legislative assembly of the state from amongst persons who are not members of the assembly. **So, Statement 4 is correct.**
- About 1/6 of the members are nominated by the governor from amongst persons who have a special knowledge or practical experience of literature, science, art, cooperative movement and social service. **So, Statement 3 is correct.**
- Thus, 5/6 of the total number of members of a legislative council are indirectly elected.

The members are elected in accordance with the system of proportional representation by means of a single transferable vote. This scheme of composition of a legislative council as laid down in the Constitution is tentative and not final. Parliament is authorised to modify or replace the same. However, it has not enacted any such law so far.

ADDITIONAL INFORMATION:

LEGISLATIVE COUNCIL	
Eligibility criteria	An Indian citizen who is at least 30 years of age; a person cannot simultaneously be a Member of Parliament and a State legislature.
Role of the Legislative Council	The Constitution of India gives limited power to the Legislative Council. It cannot make or break a government. It cannot say 'no' to Finance Bills. However, there are some perks: The Council has its Chairman and Deputy Chairman who enjoy the status of Cabinet Ministers in the state.

	It is considered important for two reasons: ➤ It can ensure individuals who might not be cut out for the elections are able to contribute to the legislative process (like artists, scientists, etc). ➤ It can keep an eye on hasty decisions taken by the Legislative Assembly.
Permanent House	While the Legislative Council is a permanent House like the Rajya Sabha, it can be dissolved. Under Article 169 of the Indian Constitution, Parliament may create or abolish the Council in a state if the Legislative Assembly of that state passes a resolution to that effect by a special majority. Parliament abolished the Vidhan Parishad in Andhra Pradesh in 1985, but in March 2007, it was reinstated.

69. With reference to the Indian Parliamentary Group (IPG), consider the following statements:

1. Both incumbent and former Members of Parliament are members of the Indian Parliamentary Group (IPG).
2. Incumbent members of Parliament are entitled to represent at meetings of the Inter-Parliamentary Union (IPU).
3. The 150th Assembly of the Inter-Parliamentary Union (IPU) was held in Tashkent, Uzbekistan, in April 2025, focusing on parliamentary action for social development and justice.

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

EXPLANATION:

The Indian Parliamentary Group (IPG) was established in 1949 as an autonomous body that brings together Members of Parliament to promote cooperation, understanding, and dialogue within the parliamentary community.

- The IPG is run by an Executive Committee, and the Speaker of the Lok Sabha serves as its ex officio President.
- It helps improve parliamentary functioning by organizing seminars, discussions, and information sessions on issues that may come before Parliament.
- Membership of the IPG is open to both current MPs and former MPs, making it a platform that connects legislators across generations.
- MPs may also become Life Members, and once they cease to be MPs, they are designated as Associate Life Members. **So, Statement 1 is correct.**

The Inter-Parliamentary Union (IPU) is the global organization of the parliaments of sovereign states. Since its establishment in 1889, it has served as the main platform for international parliamentary dialogue, promoting peace, cooperation, and the strengthening of democratic institutions. Each member country participates in the IPU through its national parliament.

- Under Article 10 of the IPU Statutes, only sitting (incumbent) Members of Parliament, officially nominated by their national parliament, can serve as delegates to IPU Conferences and meetings.
- This means that only current MPs—not former MPs—are entitled to represent their country at IPU events.
- In India, this role is coordinated through the Indian Parliamentary Group (IPG), which serves as the National Group of the IPU.
- The IPG facilitates the selection and participation of Indian parliamentary delegations at IPU meetings and ensures India's engagement in global parliamentary diplomacy.
- Therefore, incumbent Members of Parliament are entitled to represent India at IPU meetings, making the statement correct. **So, Statement 2 is correct.**

The 150th Assembly of the Inter-Parliamentary Union (IPU) was held in April 2025 in Tashkent, Uzbekistan, hosted by the Parliament of Uzbekistan.

The Assembly focused on the theme “Parliamentary action for social development and justice,” addressing key issues such as poverty eradication, decent work, social inclusion, and enhancing the participation of marginalised groups in decision-making processes. The Speaker of the Lok Sabha led the Indian delegation to this Assembly. **So, Statement 3 is correct.**

70. Consider the following statements with respect to the Contingency Fund of India:

1. The Fund has been established as per Article 267 of the Constitution of India.
2. This Fund is placed at the disposal of the President to meet unforeseen expenditure.
3. The Corpus of the Contingency Fund currently stands at around Rs 500 crore.

How many of the statements given above is/are correct?

- (a) Only one
- (b) Only two**
- (c) All three
- (d) None

EXPLANATION:

The Contingency Fund of India serves as the nation’s emergency fund. It is established under Article 267(1) of the Constitution.

Parliament is empowered to create this fund and periodically credit it with amounts determined by law. The fund enables the government to meet unforeseen expenditures that require immediate action, pending later approval by Parliament.

- The Parliament enacted the Contingencies Fund of India Act in 1950.
- This fund is placed at the disposal of the President, and he can make advances out of it to meet unforeseen expenditure pending its authorisation by the Parliament.
- The fund is held by the finance secretary on behalf of the President.
- Like the public account of India, it is also operated by executive action. **So, Statements 1 and 2 are correct.**

As per Article 267 of the Indian Constitution, a corpus must be established under the Contingency Fund of India to meet emergency expenditures.

- The government cannot withdraw money from this fund without prior authorisation from Parliament.
- Any amount withdrawn must later be recouped to restore the corpus to its original level. The size of the fund may be revised periodically by Parliament.
- The corpus has been enhanced several times. In 2005, it was raised from ₹5 crore to ₹500 crore.
- Through the Finance Bill, 2021, the government further increased the Contingency Fund to ₹30,000 crore, reflecting the need for greater financial flexibility during emergencies.
- Therefore, the corpus of the Contingency Fund currently stands at around Rs 30,000 crore. **So, Statement 3 is not correct.**

ADDITIONAL INFORMATION:

FUNDS OF CENTRAL GOVERNMENT	
Recently in news	Finance Minister Nirmala Sitharaman announced a Rs 500 crore fund for Manipur to establish a contingency fund.
About	The Constitution of India provides for the following three kinds of funds for the Central government: 1. Consolidated Fund of India (Article 266) 2. Public Account of India (Article 266) 3. Contingency Fund of India (Article 267)

Consolidated Fund of India (Article 266)	➤ It is a fund to which all receipts are credited and all payments are debited. In other words, (a) all revenues received by the Government of India; (b) all loans raised by the Government by the issue of treasury bills, loans or ways and means of advances; and (c) all money received by the government in repayment of loans forms the Consolidated Fund of India. ➤ All the legally authorised payments on behalf of the Government of India are made out of this fund. ➤ No money out of this fund can be appropriated (issued or drawn) except in accordance with a parliamentary law.
Public Account of India (Article 266)	➤ All other public money (other than that which is credited to the Consolidated Fund of India) received by or on behalf of the Government of India shall be credited to the Public Account of India. ➤ This includes provident fund deposits, judicial deposits, savings bank deposits, departmental deposits, remittances and so on. ➤ This account is operated by executive action, that is, the payments from this account can be made without parliamentary appropriation. Such payments are mostly in the nature of banking transactions.
Contingency Fund of India (Article 267)	➤ The Contingency Fund of India is the country's emergency fund. ➤ The fund is placed at the disposal of the President, who can make advances from it to meet urgent and unforeseen expenses, until Parliament formally approves the expenditure under Articles 115 or 116. ➤ The government uses this fund to meet urgent needs during crises, such as natural disasters, when money is required immediately. ➤ Similarly, a State Legislature may create a Contingency Fund of the State, placed at the disposal of the Governor to meet unexpected expenses until they are approved by the State Legislature under Articles 205 or 206.

71. With reference to the National Sports Governance Act of 2025, consider the following statements:

1. It provides for National Sports Federations for each designated sport in India.
2. Sports is an entry in the State list of the seventh schedule of the Indian Constitution.
3. Office bearers of sports governing bodies must be aged between 21 years and 60 years.
4. Sports governing bodies under the Act will have district-level units.

How many of the above statements is/are correct?

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

EXPLANATION:

Recently, Parliament passed the National Sports Governance Act, 2025, aiming to overhaul sports administration. Eyeing the 2028 Olympics and India's bid for the 2036 Games, the act seeks transparency, accountability and athlete-centered policies.

- The Act provides for establishing one National Olympic Committee, one National Paralympic Committee, a National Sports Federation ("NSF") for each designated sport, and a Regional Sport Federation for each designated sport (together, "National Sports Bodies"). **So, Statement 1 is correct.**
- Each of the National Sports Bodies is expected to have international recognition and affiliation. These bodies will also have affiliate units at the state and district levels. **So, Statement 4 is correct.**

- Further, every National Sports Body must have a general body, along with an executive committee, an ethics committee, a dispute resolution committee, an athletes committee, a president, a secretary general and a treasurer.
- The Act also provides the terms of composition, qualification, eligibility, election, and disqualification with respect to such committees.

The Constitution mentions "Sports" as a state subject under entry 33 of List II of the 7th schedule, which also covers public entertainment and amusements. Accordingly, most states have developed state sports policies and schemes for developing sports within their boundaries. **So, Statement 2 is correct.**

The National Sports Governance Act of 2025 also introduces structural reforms in governance. It fixes age and tenure limits for office bearers, with conditional relaxation (70–75 years if permitted by international federation statutes), ensuring generational renewal in leadership. Further, in cases of governance crises, it allows the appointment of experienced Sports Administrators in place of retired judges previously appointed by courts. **So, Statement 3 is not correct.**

72. Consider the following statements:

1. The President can appoint a Vice-Governor if the office of Governor falls vacant due to his/her demise.
2. The Indian Constitution (First Amendment) Act of 1951 permits the same person to become Governor of two states.
3. The Indian Constitution requires that the Governor of a state must be someone who does not belong to that state.

How many of the above statements is/are correct?

- (a) Only one
- (b) Only two
- (c) All three
- (d) **None**

EXPLANATION:

Article 153 of the Constitution requires that there shall be a Governor for each State. One person can be appointed as Governor for two or more States. Thus, there is no office of vice-governor (in the state) like that of Vice-President at the Centre.

- Article 154 vests the executive power of the State in the Governor.
- Article 155 says that "The Governor of a State shall be appointed by the President by warrant under his hand and seal".
 - Article 156 provides that "The Governor shall hold office during the pleasure of the President". The term of the Governor is prescribed as five years.

So, Statement 1 is not correct.

The governor is the chief executive head of the state. But, like the president, he is a nominal executive head (titular or constitutional head). The governor also acts as an agent of the central government. Therefore, the office of the governor has a dual role. Usually, there is a governor for each state, but the 7th Constitutional Amendment Act of 1956 facilitated the appointment of the same person as a governor for two or more states. **So, Statement 2 is not correct.**

The Constitution lays down only two qualifications for the appointment of a person as a governor. These are:

- He should be a citizen of India.
- He should have completed the age of 35 years.

Additionally, two conventions have also developed in this regard over the years.

- First, he should be an outsider, that is, he should not belong to the state where he is appointed, so that he is free from local politics.

- Second, while appointing the governor, the president is required to consult the chief minister of the state concerned, so that the smooth functioning of the constitutional machinery in the state is ensured.

However, both conventions have been violated in some of the cases. **So, Statement 3 is not correct.**

ADDITIONAL INFORMATION:

FUNCTIONS AND DUTIES OF THE GOVERNOR	
Recently in news	President Droupadi Murmu appointed new Governors in Haryana and Goa and a new Lieutenant Governor in Ladakh.
About	The Constitution of India envisages the same pattern of government in the states as that for the Centre, that is, a parliamentary system. Part VI of the Constitution deals with the government in the states. ➤ Articles 153 to 167 in Part VI of the Constitution deal with the state executive. ➤ The state executive consists of the governor, the chief minister, the council of ministers and the advocate general of the state. ➤ The governor is the chief executive head of the state. But, like the president, he is a nominal executive head (titular or constitutional head). ➤ The governor also acts as an agent of the central government. Therefore, the office of the governor has a dual role.
Appointment	The governor is neither directly elected by the people nor indirectly elected by a specially constituted electoral college as is the case with the president. He is appointed by the president by warrant under his hand and seal. In a way, he is a nominee of the Central government. But, as held by the Supreme Court in 1979, the office of governor of a state is not an employment under the Central government. It is an independent constitutional office and is not under the control of or subordinate to the Central government.
Term	A governor holds office for a term of five years from the date on which he enters upon his office. However, this term of five years is subject to the pleasure of the President. Further, he can resign at any time by addressing a resignation letter to the President. ➤ The Supreme Court held that the pleasure of the President is not justifiable. ➤ The governor has no security of tenure and no fixed term of office. ➤ He may be removed by the President at any time.
Functions	A governor possesses executive, legislative, financial and judicial powers more or less analogous to the President of India. However, he has no diplomatic, military or emergency powers like the president. The powers and functions of the governor can be studied under the following heads: ➤ Executive powers. ➤ Legislative powers. ➤ Financial powers. ➤ Judicial powers.

73. Consider the following statements:

1. Question Hour and Zero hour are not mentioned in the Rules of Procedure of Parliament.
2. Zero Hour is an Indian parliamentary innovation that began during the first Lok Sabha in 1952.
3. Both ministers and private members can be asked questions during the Question hour.

How many of the above statements is/are correct?

- (a) Only one**
(b) Only two
(c) All three
(d) None

EXPLANATION:

The first hour of a sitting of the Lok Sabha is devoted to the Questions, and this hour is called the Question Hour.

- Question hour is mentioned in the rules of procedure of the parliament (Rule 38). It has a special significance in the proceedings of the Parliament. Asking questions is an inherent and unfettered parliamentary right of members. It is during the Question Hour that the members can ask questions on every aspect of administration and Governmental activity.
- Government policies in national as well as international spheres come into sharp focus as the members try to elicit pertinent information during the Question Hour.
- While Question Hour is strictly regulated, Zero Hour is an Indian parliamentary innovation. The phrase does not find mention in the rules of procedure.

The concept of Zero Hour started organically in the first decade of the Indian Parliament, when MPs felt the need to raise important constituency and national issues. **So, Statement 1 is not correct.**

Unlike the question hour, the zero hour is not mentioned in the Rules of Procedure. Thus, it is an informal device available to the members to raise various matters of urgent public importance.

- The zero hour starts immediately after the question hour and lasts until the agenda for the day (ie, regular business of the House) is taken up.
- In other words, the time gap between the question hour and the agenda is known as zero hour.

It is an Indian innovation in the field of parliamentary procedures and has been in existence since 1962. **So, Statement 2 is not correct.**

In addition to the ministers, the questions can also be asked to the private members. Thus, a question may be addressed to a private member if the subject matter of the question relates to some Bill, resolution or other matter connected with the business of the House for which that member is responsible.

The procedure in regard to such a question is the same as that followed in the case of questions addressed to a minister. **So, Statement 3 is correct.**

ADDITIONAL INFORMATION:

TYPES OF QUESTIONS	
Starred Questions	➤ These questions require oral answers from the ministers. ➤ These questions are distinguished by an asterisk. ➤ MPs who submit starred questions are allowed to ask supplementary questions with the permission of the Chair for the purpose of further elucidating any matter of fact regarding which an answer has been given. ➤ The Number of Questions Listed to be answered daily is 20 in the Lok Sabha and 15 in the Rajya Sabha.
Unstarred Questions	➤ These questions require written answers from the ministers. ➤ These questions are not distinguished by an asterisk. ➤ MPs who submit unstarred questions do not have the opportunity to ask supplementary questions. ➤ The Number of Questions Listed to be answered daily is 230 in the Lok Sabha and 160 in the Rajya Sabha.
Short Notice Questions	➤ Notice of less than 10 days in the Lok Sabha and 15 days in the Rajya Sabha. These questions must be relating to a matter of public importance and are of urgent character. ➤ They are answered orally.

74. With reference to a bill that seeks to amend the federal provisions of the Constitution, consider the following statements:

1. It should be passed by a special majority in Parliament and in the legislatures of half of the States.
2. If it amends provisions on the legislative powers of States, it can be introduced in the Parliament or State legislatures.

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**

EXPLANATION:

Article 368 deals with the constitutional amendment. Those provisions of the Constitution which are related to the federal structure of the polity can be amended by a special majority of the Parliament, and also with the consent of half of the state legislatures, by a simple majority.

- If one or some or all the remaining states take no action on the bill, it does not matter; the moment half of the states give their consent, the formality is completed.
- There is no time limit within which the states should give their consent to the bill.

Thus, a bill that seeks to alter the federal features of the Constitution must be passed by Parliament with a special majority and ratified by at least half of the States through a simple majority. **So, Statement 1 is not correct.**

Article 368 in Part XX of the Constitution deals with the powers of Parliament to amend the Constitution and its procedure. It states that the Parliament may, in exercise of its constituent power, amend by way of addition, variation or repeal any provision of the Constitution in accordance with the procedure laid down for the purpose.

- An amendment of the Constitution can be initiated only by the introduction of a bill for the purpose in either House of Parliament and not in the state legislatures, regardless of the subject.
- Thus, to amend the provisions on the legislative powers of States, it can be introduced in the Parliament, not by the State legislatures. **So, Statement 2 is not correct.**

75. With respect to a Constitutional Amendment bill, the President can:

1. Give assent to the bill
2. Withhold assent to the bill
3. Return the bill for reconsideration by the Parliament

How many of the above options is/are available to the President when a Constitutional Amendment bill has been passed by the Parliament?

- (a) Only one**
- (b) Only two
- (c) All three
- (d) None

EXPLANATION:

Article 368 in Part XX of the Constitution deals with the powers of Parliament to amend the Constitution and its procedure.

- A Constitutional amendment bill, after being duly passed by both the Houses of Parliament and ratified by the state legislatures, where necessary, is presented to the president for assent.
- The 24th Constitutional Amendment Act of 1971 made it obligatory for the President to give his assent to a constitutional amendment bill.
- According to it, the president must give his assent to the bill. He can neither withhold his assent to the bill nor return the bill for reconsideration of the Parliament. **So, Statement 1 is correct and Statement 2 and 3 are not correct.**

ADDITIONAL INFORMATION:

LEGISLATIVE POWERS OF THE PRESIDENT	
Recently in news	The central government recently introduced the Constitution (One Hundred And Thirtieth Amendment) Bill in Parliament to amend Article 75, Article 164 and Article 239AA of the Constitution which pertain to the Union Council of Ministers, State Council of Ministers and the special administrative provisions for Delhi, respectively. The Bill provides that in case a Minister is arrested and detained in custody for 30 consecutive days, for an alleged offence punishable with imprisonment which may extend up to five years or more, he shall be removed from office by the President, on the advice of the Prime Minister, which is to be tendered by the 31st day of such custody.
About	The President is an integral part of the Parliament of India and enjoys the following legislative powers. ➤ He can summon or prorogue the Parliament and dissolve the Lok Sabha. He can also summon a joint sitting of both the Houses of Parliament, which is presided over by the Speaker of the Lok Sabha. ➤ He can address the Parliament at the commencement of the first session after each general election and the first session of each year. ➤ He can send messages to the Houses of Parliament, whether with respect to a bill pending in Parliament or otherwise. ➤ He can appoint any member of the Lok Sabha to preside over its proceedings when the offices of both the Speaker and the Deputy Speaker fall vacant. Similarly, he can also appoint any member of the Rajya Sabha to preside over its proceedings when the offices of both the Chairman and the Deputy Chairman fall vacant. ➤ He nominates 12 members of the Rajya Sabha from amongst persons having special knowledge or practical experience in literature, science, art and social service. ➤ He can nominate two members to the Lok Sabha from the Anglo Indian Community. ➤ He decides on questions as to the disqualifications of members of the Parliament, in consultation with the Election Commission. ➤ His prior recommendation or permission is needed to introduce certain types of bills in the Parliament. For example, a bill involving expenditure from the Consolidated Fund of India, or a bill for the alteration of boundaries of states or the creation of a new state. ➤ When a bill is sent to the President after it has been passed by the Parliament, he can: • give his assent to the bill, or • withhold his assent to the bill, or • return the bill (if it is not a money bill) for reconsideration of Parliament. However, if the bill is passed again by the Parliament, with or without amendments, the President has to give his assent to the bill. ➤ When a bill passed by a state legislature is reserved by the governor for consideration of the President, the President can: • give his assent to the bill, or • withhold his assent to the bill, or • direct the governor to return the bill (if it is not a money bill) for reconsideration by the state legislature. It should be noted that it is not obligatory for the President to give his assent even if the bill is again

	passed by the state legislature and sent again to him for his consideration. ➤ He can promulgate ordinances when the Parliament is not in session. The Parliament must approve these ordinances within six weeks of its reassembly. He can also withdraw an ordinance at any time. ➤ He lays the reports of the Comptroller and Auditor General, the Union Public Service Commission, the Finance Commission, and others before the Parliament. ➤ He can make regulations for the peace, progress and good government of the Andaman and Nicobar Islands, Lakshadweep, Dadra and Nagar Haveli, Daman and Diu and Ladakh. In the case of Puducherry also, the President can legislate by making regulations, but only when the assembly is suspended or dissolved.
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76. Consider the following:

1. Political heterogeneity
2. Majority party rule
3. Single executive
4. Dissolution of the Lower House

How many of the above is/are features of a Parliamentary system of Government?

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

EXPLANATION:

Representative democracy is of two kinds—parliamentary and presidential. The Constitution of India provides for a parliamentary form of government, both at the Centre and in the states. Articles 74 and 75 deal with the parliamentary system at the Centre, and Articles 163 and 164 deal with the states.

- Political Homogeneity: Political heterogeneity is not typical of parliamentary systems, which generally rely on political homogeneity within the cabinet to ensure shared ideology and cohesive decision-making. Usually, members of the council of ministers belong to the same political party and share the same political ideology; in coalition governments, ministers are bound by consensus. In contrast, presidential systems do not require such homogeneity, as presidents can appoint diverse, non-elected officials, making political heterogeneity more common. **So, Statement 1 is not correct.**
- Majority Party Rule: The political party which secures a majority of seats in the Lok Sabha forms the government. The leader of that party is appointed as the Prime Minister by the President; other ministers are appointed by the President on the advice of the Prime Minister. However, when no single party gets the majority, a coalition of parties may be invited by the President to form the government. **So, Statement 2 is correct.**
- Dual executive (Nominal and Real Executives): The President is the nominal executive (de jure executive or titular executive) while the Prime Minister is the real executive (de facto executive). Thus, the President is head of the State, while the Prime Minister is head of the government. Article 74 provides for a council of ministers headed by the Prime Minister to aid and advise the President in the exercise of his functions. The advice so tendered is binding on the President. **So, Statement 3 is not correct.**
- Dissolution of the Lower House: The lower house of the Parliament (Lok Sabha) can be dissolved by the President on the recommendation of the Prime Minister. In other words, the prime minister can advise the President to dissolve the Lok Sabha before the expiry of its term and hold fresh elections. This means that the executive enjoys the right to get the legislature dissolved in a parliamentary system. **So, Statement 4 is correct.**

ADDITIONAL INFORMATION:

PARLIAMENTARY SYSTEM OF GOVERNMENT	
About	The parliamentary system of government is the one in which the executive is responsible to the legislature for its policies and acts. The parliamentary government is also known as cabinet government or responsible government or Westminster model of government and is prevalent in Britain, Japan, Canada, India among others.
Other features or principles	➤ Collective Responsibility: This is the bedrock principle of parliamentary government. The ministers are collectively responsible to the Parliament in general and to the Lok Sabha in particular (Article 75). They act as a team, and swim and sink together. The principle of collective responsibility implies that the Lok Sabha can remove the ministry (i.e., council of ministers headed by the prime minister) from office by passing a vote of no confidence. ➤ Double Membership: The ministers are members of both the legislature and the executive. This means that a person cannot be a minister without being a member of the Parliament. The Constitution stipulates that a minister who is not a member of the Parliament for a period of six consecutive months ceases to be a minister. ➤ Leadership of the Prime Minister: The Prime Minister plays the leadership role in this system of government. He is the leader of council of ministers, leader of the Parliament and leader of the party in power. In these capacities, he plays a significant and highly crucial role in the functioning of the government. ➤ Secrecy: The ministers operate on the principle of secrecy of procedure and cannot divulge information about their proceedings, policies and decisions. They take the oath of secrecy before entering their office. The oath of secrecy to the ministers is administered by the President.

77. Consider the following:

1. Unsound mind
2. Corrupt practice
3. Non-residence

How many of the above can be considered as disqualifications that restrict a person from voting in the Lok Sabha elections?

- (a) Only one
- (b) Only two
- (c) All three**
- (d) None

EXPLANATION:

Article 326 of Part XV of the Constitution deals with elections to the Lok Sabha and State Legislative Assemblies to be based on Adult Suffrage.

The elections to the Lok Sabha and the state assemblies are to be on the basis of adult franchise. Thus, every person who is a citizen of India and who is 18 years of age is entitled to vote in the election, provided he is not disqualified under the provisions of the Constitution or any law made by the appropriate legislature (Parliament or state legislature) on the ground of:

- non-residence
- unsound mind
- crime or corrupt,
- illegal practice. **So, Option (c) is correct.**

ADDITIONAL INFORMATION:

ELECTORAL SYSTEM IN INDIA	
About	➤ The Constitution (Article 324) provides for an independent Election Commission in order to ensure free and fair elections in the country. The power of superintendence, direction and conduct of elections to the Parliament, the state legislatures, the office of the President and the office of the Vice-President is vested in the Commission. At present, the commission consists of a chief election commissioner and two election commissioners. ➤ There is to be only one general electoral roll for every territorial constituency for election to the Parliament and the state legislatures. Thus, the Constitution has abolished the system of communal representation and separate electorates which led to the partition of the country. ➤ No person is to be ineligible for inclusion in the electoral roll on grounds only of religion, race, caste, sex or any of them. Further, no person can claim to be included in any special electoral roll for any constituency on grounds only of religion, race, caste or sex or any of them. Thus, the Constitution has accorded equality to every citizen in the matter of electoral franchise. ➤ Parliament may make provision with respect to all matters relating to elections to the Parliament and the state legislatures including the preparation of electoral rolls, the delimitation of constituencies and all other matters necessary for securing their due constitution. ➤ The state legislatures can also make provision with respect to all matters relating to elections to the state legislatures including the preparation of electoral rolls and all other matters necessary for securing their due constitution. But, they can make provision for only those matters which are not covered by the Parliament. In other words, they can only supplement the parliamentary law and cannot override it. ➤ The Constitution declares that the validity of any law relating to the delimitation of constituencies or the allotment of seats to such constituencies cannot be questioned in any court. Consequently, the orders issued by the Delimitation Commission become final and cannot be challenged in any court. ➤ The Constitution lays down that no election to the Parliament or the state legislature is to be questioned except by an election petition presented to such authority and in such manner as provided by the appropriate legislature. Since 1966, the election petitions are triable by high courts alone. But, the appellate jurisdiction lies with the Supreme Court alone.

78. Which of the following statements correctly distinguishes between the President's veto powers in India and those of the U.S. President?

- (a) Both have absolute veto powers over all bills.
- (b) The Indian President has a suspensive veto, whereas the U.S. President has a pocket veto.
- (c) The Indian President has both a suspensive and a pocket veto, while the U.S. President has only a suspensive veto.
- (d) Unlike the U.S. President, the Indian President does not have a qualified veto.**

EXPLANATION:

Article 111 of the Constitution grants the President the power to assent to Bills passed by both Houses of Parliament.

The object of conferring this power on the President is two-fold—(a) to prevent hasty and ill-considered legislation by the Parliament; and (b) to prevent legislation which may be unconstitutional.

The veto power enjoyed by the executive in modern states can be classified into the following four types:

- Absolute veto, that is, withholding of assent to the bill passed by the legislature.
- Qualified veto, which can be overridden by the legislature with a higher majority.
- Suspensive veto, which can be overridden by the legislature with an ordinary majority.
- Pocket veto, that is, taking no action on the bill passed by the legislature.

Of the above four, the President of India is vested with three: absolute veto, suspensive veto and pocket veto. There is no qualified veto in the case of the Indian President; the American President possesses it. **So, Option (d) is correct.**

ADDITIONAL INFORMATION:

VETO POWER OF THE PRESIDENT	
Recently in news	The Supreme Court has ruled that neither the President nor the governor has absolute veto power over state bills. They must provide reasons for withholding assent. The court set timelines for decisions on bills. Governors have one month for assent or three months to refer the bill. The President also has three months to decide.
Article 111	A bill passed by the Parliament can become an act only if it receives the assent of the President. When such a bill is presented to the President for his assent, he has three alternatives (under Article 111 of the Constitution): ➤ He may give his assent to the bill, or ➤ He may withhold his assent to the bill, or ➤ He may return the bill (if it is not a Money bill) for reconsideration of the Parliament. However, if the bill is passed again by the Parliament with or without amendments and again presented to the President, the President must give his assent to the bill. ➤ This power of the President applies to ordinary Bills, not Money Bills or Constitutional Amendment Bills. ➤ Under this article, the President can either assent to the Bill, withhold his assent or send the Bill for reconsideration of the Houses. ➤ However, the article does not specify the time period within which the President has to declare his intention regarding assent, withholding assent or sending the Bill for reconsideration.
Presidential Veto over State Legislation	The President has veto power with respect to state legislation, also. A bill passed by a state legislature can become an act only if it receives the assent of the governor or the President (in case the bill is reserved for the consideration of the President). When a bill, passed by a state legislature, is presented to the governor for his assent, he has four alternatives (under Article 200 of the Constitution): ➤ He may give his assent to the bill, or ➤ He may withhold his assent to the bill, or ➤ He may return the bill (if it is not a money bill) for reconsideration of the state legislature, or 4. He may reserve the bill for the consideration of the President.
Absolute Veto	It refers to the power of the President to withhold his assent to a bill passed by Parliament. The bill then ends and does not become an act. Usually, this veto is exercised in the following two cases: ➤ With respect to private members' bills (ie, bills introduced by any member of Parliament who is not a minister), and ➤ With respect to the government bills, when the cabinet resigns (after the passage of the bills but before the assent by the President) and the new cabinet advises the President not to give his assent to such bills.
Suspensive Veto	The President exercises this veto when he returns a bill for reconsideration of the Parliament. However, if the bill is passed again by the Parliament with or without

	amendments and again presented to the President, it is obligatory for the President to give his assent to the bill.
Pocket Veto	In this case, the President neither ratifies nor rejects nor returns the bill, but simply keeps the bill pending for an indefinite period. This power of the President not to take any action (either positive or negative) on the bill is known as the pocket veto. The Constitution does not prescribe any time limit within which he has to take a decision with respect to a bill presented to him for his assent. In the USA, on the other hand, the President has to return the bill for reconsideration within 10 days.

79. With reference to the functions of Parliamentary Committees in India, consider the following statements:

1. They are mentioned under Part V of the Indian Constitution.
2. Their recommendations are binding on the Government.
3. They present the report to the House or to the Speaker/Chairman.

Which of the statements given above is/are correct?

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

EXPLANATION:

Parliamentary committees are mentioned in Articles 118 and 105 of Part V of the Indian Constitution.

- Article 118 authorizes each House of Parliament to make rules for regulating its procedure and the conduct of its business, including the functioning of committees.
 - Article 105 deals with the powers, privileges, and immunities of Parliament and its members, and extends these to the committees as well.
 - The Constitution does not specify the composition, tenure, or functions of parliamentary committees; these matters are governed by the rules of the two Houses.
 - Parliamentary committees can be classified into the following categories:
 - Financial Committees
 - Departmentally Related Standing Committees
 - Other Parliamentary Standing Committees
 - Ad hoc Committees
- So, Statement 1 is correct.**

- Recommendations of parliamentary committees are not legally binding, but they carry significant influence and are usually taken seriously by the government and Parliament.
- These committees examine bills, policies, and administrative matters in detail, allowing for expert scrutiny and informed suggestions.

For example, the Standing Committee on Health reviewed the National Medical Commission Bill in 2017 and made several recommendations to improve its provisions. Many of these suggestions were later incorporated into the 2019 version of the Bill, including the removal of the provision that would have allowed a bridge course for AYUSH practitioners to practice modern medicine. **So, Statement 2 is not correct.**

A parliamentary committee means a committee that is appointed or elected by the House or nominated by the Speaker/Chairman.

- It works under the direction of the Speaker/Chairman.
- It presents its report to the House or to the Speaker/Chairman.
- It has a secretariat provided by the Lok Sabha/Rajya Sabha. **So, Statement 3 is correct**

Parliamentary committees are of two kinds—Standing Committees and Ad Hoc Committees.

The former are permanent (constituted every year or periodically) and work on a continuous basis, while the latter are temporary and cease to exist on completion of the task assigned to them.

80. With reference to the State Council of Ministers in India, consider the following statements:
1. The number of ministers, including the chief minister, in a state shall not be less than 15.
 2. The salaries and allowances of ministers shall be determined by the state legislature.
 3. The advice tendered by Ministers to the Governor shall not be inquired into in any court.
- Which of the statements given above are correct?
- (a) 2 and 3 only
(b) 1 and 2 only
(c) 1 and 3 only
(d) 1, 2 and 3

EXPLANATION:

Article 163 of the Constitution states that there shall be a Council of Ministers with the Chief Minister at the head to aid and advise the Governor in the exercise of his functions, except in so far as he is by or under this Constitution required to exercise his functions or any of them in his discretion.

Article 164 (1A) states that the total number of Ministers, including the Chief Minister, in the Council of Ministers in a State shall not exceed fifteen per cent of the total number of members of the Legislative Assembly of that State, provided that the number of Ministers, including the Chief Minister, in a State shall not be less than 12. **So, Statement 1 is not correct.**

Article 164 (5) of the Constitution states that the salaries and allowances of Ministers shall be such as the Legislature of the State may from time to time by law determine and, until the Legislature of the State so determines, shall be as specified in the Second Schedule. **So, Statement 2 is correct.**

Article 163 (3) states that no court can enquire into the nature of advice tendered by ministers to the governor. This provision emphasises the intimate and confidential relationship between the governor and the ministers. **So, Statement 3 is correct.**

ADDITIONAL INFORMATION:

STATE COUNCIL OF MINISTERS IN INDIA	
Recently in news	A report by the non-profit Association for Democratic Reforms (ADR) has found that about 47% of Ministers in India, including in the Union Cabinet and State Cabinets, have declared criminal cases against themselves, out of which 27% are of a serious nature, including murder, kidnapping, and crimes against women.
Appointment of ministers	The chief minister is appointed by the governor. The other ministers are appointed by the governor on the advice of the chief minister. This means that the governor can appoint only those persons as ministers who are recommended by the chief minister. Usually, the members of the state legislature, either the legislative assembly or the legislative council, are appointed as ministers. ➤ A person who is not a member of either House of the state legislature can also be appointed as a minister. But, within six months, he must become a member (either by election or by nomination) of either House of the state legislature; otherwise, he ceases to be a minister.
Collective responsibility of ministers	Article 164 clearly states that the Council of Ministers is collectively responsible to the Legislative Assembly of the state. This means that all the ministers own joint responsibility to the legislative assembly for all their acts of omission and commission. ➤ When the legislative assembly passes a no-confidence motion against the council of ministers, all the ministers have to resign, including those ministers who are from the legislative council. ➤ Alternatively, the council of ministers can advise the governor to dissolve the legislative assembly on the grounds that the House does not represent the views of the electorate faithfully and call for fresh elections.

Individual Responsibility	Article 164 also contains the principle of individual responsibility. It states that the ministers hold office during the pleasure of the governor. This means that the governor can remove a minister at a time when the council of ministers enjoys the confidence of the legislative assembly. But the governor can remove a minister only on the advice of the chief minister. ➤ In case of a difference of opinion or dissatisfaction with the performance of a minister, the chief minister can ask him to resign or advise the governor to dismiss him. By exercising this power, the chief minister can ensure the realisation of the rule of collective responsibility.
Article 177	Every minister shall have the right to speak and take part in the proceedings of the Assembly (and also the Council where it exists) and any Committee of the State Legislature of which he may be named a member. But he shall not be entitled to vote.

81. Consider the following statements:

1. A censure motion can be moved against an individual Minister, while a no-confidence motion targets the entire Council of Ministers.
2. A censure motion specifies the reasons for disapproval, while a no-confidence motion does not require reasons.
3. If adopted, both motions lead to the same constitutional consequence.

Which of the statements given above correctly distinguishes a Censure Motion from a No Confidence Motion?

(a) 1 and 2 only

(b) 2 and 3 only

(c) 1 only

(d) 1, 2 and 3

EXPLANATION:

A censure literally means an expression of strong disapproval or harsh criticism. It can be a stern rebuke by a legislature, generally opposition against the policies of the Government or an individual minister. However, it can also be passed to criticize, condemn some act. A censure motion can be moved in the Lok Sabha or in a state assembly.

Both censure motion and no-confidence motion can be moved in the Lok Sabha or the lower house of the state.

- While a censure motion can be moved against individual ministers or members, a no-confidence motion is moved against the entire council of ministers. **So, Statement 1 is correct.**
- There is no impact on the government when a censure motion is passed, but the council of ministers have to resign, and the government collapses when a no-confidence motion is passed. So, both, if adopted, have different constitutional consequences. **So, Statement 3 is not correct.**
- A censure motion should state the reasons for its adoption, whereas a no-confidence motion need not state the reasons for its adoption. **So, Statement 2 is correct.**
- Censor motion is moved for censuring the Council of Ministers For specific policies and actions, whereas a no-confidence motion is moved to ascertain the confidence of the Lok Sabha in the Council of Ministers.

ADDITIONAL INFORMATION:

MOTIONS	
Privilege Motion	It is concerned with the breach of parliamentary privileges by a minister. It is moved by a member when he/she feels that a minister has committed a breach of privilege of the House or one or more of its members by withholding

	facts of a case or by giving wrong or distorted facts. Its purpose is to censure the concerned minister.
Calling Attention Motion	It is introduced in the Parliament by a member to call the attention of a minister to a matter of urgent public importance, and to seek an authoritative statement from him/her on that matter. Like the zero hour, it is also an Indian innovation in the parliamentary procedure and has been in existence since 1954. However, unlike the zero hour, it is mentioned in the Rules of Procedure.
Adjournment Motion	It is introduced in the Parliament to draw the attention of the House to a definite matter of urgent public importance, and needs the support of 50 members to be admitted. ➤ As it interrupts the normal business of the House, it is regarded as an extraordinary device. ➤ It involves an element of censure against the government, and hence Rajya Sabha is not permitted to make use of this device. ➤ The discussion on an adjournment motion should last for not less than two hours and thirty minutes.
Motion of Thanks	The first session after each general election and the first session of every fiscal year is addressed by the President. In this address, the President outlines the policies and programmes of the government in the preceding year and the ensuing year. ➤ This address of the President, which corresponds to the 'speech from the Throne in Britain', is discussed in both the Houses of Parliament on a motion called the 'Motion of Thanks'. At the end of the discussion, the motion is put to a vote. ➤ This motion must be passed in the House. Otherwise, it amounts to the defeat of the government. ➤ This inaugural speech of the President is an occasion available to the members of Parliament to raise discussions and debates to examine and criticise the government and administration for its lapses and failures.

82. In the context of the Indian Constitution, which of the following characterizes the phrase "asymmetric federalism"?

1. Unequal distribution of powers between the centre and the states under the Seventh Schedule.
2. Special provisions for certain States in Part XXI.
3. Emergency provisions which temporarily convert the system into a unitary one.

Select the answer using the code given below:

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

EXPLANATION:

Federalism divides power between the central and federal governments and their member states. It usually serves two purposes: To lessen the likelihood of a tyranny of the majority and to strengthen the Union.

Generally, Federalism can be classified into three different types: Holding Together Federation, Coming Together Federation and Asymmetrical Federation.

- Asymmetric Federalism is based on unequal powers and relationships in political, administrative, and fiscal arrangement spheres between the federal units (i.e. all units in a federation, meaning one Centre and all states) constituting a federation.
- Under vertical asymmetric Federalism, between the Centre and states, the Centre is granted more powers vis-à-vis the states; and under horizontal asymmetric federalism, among the states, certain privileges are granted to certain states vis-à-vis other states.
- In the Indian Constitution, asymmetric federalism is found across the Fifth and Sixth Schedules of the Constitution that comprise numerous distinctive provisions for administration and protection of Scheduled Areas and Scheduled Tribes in any state of Andhra Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha, Rajasthan and Telangana (Fifth Schedule), and in the states of Assam, Meghalaya, Tripura, and Mizoram (Sixth Schedule).
- The Seventh Schedule of the Indian Constitution, under Article 246, consists of
 - Union List
 - State List
 - Concurrent List
- This schedule embodies vertical asymmetric federalism, as it creates an unequal distribution of legislative powers between the Centre and the States:
- The Union List contains more subjects than the State List.
- The Centre enjoys overriding power in the Concurrent List.
- Residuary powers are vested exclusively in the Centre. **So, Statement 1 is correct.**

Articles 371 to 371-J in Part XXI of the Constitution provide special constitutional arrangements for twelve States such as Nagaland, Mizoram, Assam, Andhra Pradesh, Sikkim and others. These provisions were incorporated to address region-specific historical, cultural, economic and administrative concerns—for example, protecting tribal cultures, meeting aspirations of backward regions, dealing with disturbed law-and-order situations, and safeguarding the interests of local populations.

Since these provisions grant differentiated powers and institutional arrangements to certain States which are not available to all States, they create horizontal asymmetry within the federal system. This state-specific variation in autonomy is the core feature of asymmetric federalism in India. **So, Statement 2 is correct.**

The Emergency provisions are contained in Part XVIII of the Constitution, from Articles 352 to 360.

- During an Emergency, the Central government becomes all-powerful, and the states go under the total control of the Centre during exceptional situations such as war, external aggression, armed rebellion, or financial instability.
- Emergency provisions convert the federal structure into a unitary one without a formal amendment of the Constitution. Such a situation produces vertical asymmetry, where the Centre and the States no longer enjoy equal or coordinate powers.

Therefore, the Emergency provisions create temporary vertical asymmetry in the federal system. **So, Statement 3 is correct.**

83. With reference to the Secretary-General of the Lok Sabha, consider the following statements:

1. The Secretary-General is appointed by the Speaker and holds office at the Speaker's pleasure.
 2. The Secretary-General enjoys the status equivalent to the Cabinet Secretary of the Government of India.
 3. The Secretary-General's removal requires consultation with the President of India.
- Which of the above statements is/are correct?

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

EXPLANATION:

The Secretary-General is the administrative and procedural head of the Lok Sabha Secretariat, playing a key role in assisting the Speaker and managing the functioning of the House. Each House of Parliament—Lok Sabha and Rajya Sabha—has its own Secretary-General, appointed at the discretion of the respective presiding officer.

- The Lok Sabha Secretariat is an independent body which functions under the ultimate guidance and control of the Hon'ble Speaker, Lok Sabha.
- The Secretary-General continues in office only as long as the Speaker is satisfied with his/her performance. **So, Statement 1 is correct.**
- Removal of the Secretary-General is solely at the discretion of the Speaker and does not require consultation with the President. **So, Statement 3 is not correct.**

The Secretary-General advises the presiding officer and the House on all constitutional, legislative, and procedural matters.

- The position carries dual responsibilities:
 - Advising the Speaker and the House on parliamentary matters, including committees.
 - Acting as the administrative head of the Secretariat.
- The Parliamentary Pay Committee (2009) highlighted both these roles as essential to parliamentary functioning.
- The Secretary-General's status and pay are equivalent to the Cabinet Secretary, the highest-ranking official in the Government of India. **So, Statement 2 is correct.**

84. With reference to voting rights in India, Consider the following:

1. The 61st Constitutional Amendment Act, 1988, lowered the voting age from 21 to 18 years.
2. This change was first applied only to Lok Sabha elections and later extended to State Assembly elections.

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

EXPLANATION:

Initially, the voting age under Article 326 was set at 21 years, reflecting the framers' belief that individuals of this age would possess the maturity needed to make informed electoral choices. However, this criterion underwent a significant transformation with the introduction of the 61st Constitutional Amendment Act, 1988.

- The amendment reduced the voting age from 21 years to 18 years for elections to the Lok Sabha and State Legislative Assemblies. Therefore, this change in the voting was applied both to the Lok Sabha elections and the State Assembly elections. **So, Statement 1 is correct, and Statement 2 is not correct.**
- This change was driven by the recognition that individuals aged 18 and above were already participating in the nation's workforce, armed forces, and other responsibilities.
- It aimed to give a voice to younger citizens, enabling them to shape the policies and leadership that directly impacted their future.

ADDITIONAL INFORMATION:

THE 61 st AMENDMENT ACT, 1988	
Impact of the Amendment	➤ Increased Representation: A significant portion of India's population, comprising young individuals, was included in the electoral process.

	➤ Youth Empowerment: It allowed the youth to express their opinions through the ballot, encouraging them to actively participate in the democratic process. ➤ Voter Turnout: The amendment contributed to higher voter turnout, as more individuals were now eligible to vote.
Importance of Adult Suffrage	The principle of adult suffrage under Article 326 embodies the democratic ideals enshrined in the Constitution. Its significance can be understood through the following aspects: ➤ Equality: Adult suffrage ensures that every eligible citizen, irrespective of their background, has an equal say in electing representatives. ➤ Inclusivity: By granting voting rights to all adults, the provision fosters inclusivity and counters historical inequities. ➤ Accountability: Elected representatives are accountable to the electorate, as they are chosen through free and fair elections. ➤ Participation: It encourages citizens to engage in the democratic process, contributing to nation-building and governance.

85. With reference to the use of Electronic Voting Machines (EVMs) in India, consider the following:

1. EVMs were first used on an experimental basis in 1998 in selected constituencies of Rajasthan, Madhya Pradesh, and Delhi.
2. The first general election where EVMs were used in the entire state was the Goa Assembly election in 1999.

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

EXPLANATION:

The first time use of Electronic Voting Machines (EVMs) occurred in the general election in Kerala in May 1982 (50 polling stations of Parur Assembly Constituency in Kerala); however, the absence of a specific law prescribing their use led to the Supreme Court striking down that election.

The timeline of EVM adoption in the Indian Elections is as follows:

- Subsequently, in 1989, the Parliament amended the Representation of the People Act, 1951, to create a provision for the use of EVMs in the elections.
- A general consensus on its introduction could be reached only in 1998, and these were used in 25 Legislative Assembly constituencies spread across three states of Madhya Pradesh, Rajasthan and Delhi.
- Its use was further expanded in 1999 to 45 Parliamentary Constituencies, and the entire State of Goa voted with EVMs to elect a new State Assembly in June 1999. This is the first general election where EVMs were used in the entire state. **So, Statement 2 is correct.**
- Later, in February 2000, EVMs were used in 45 Assembly Constituencies of the Haryana Assembly elections.
- In the State Assembly elections held in May 2001, in the states of Tamil Nadu, Kerala, Puducherry and West Bengal, the EVMs were used in all the Assembly Constituencies.
- Since then, for every State Assembly election, the Commission has used the EVMs.
- In 2004, in the General Election to the Lok Sabha, the EVMs (more than one million) were used in all 543 Parliamentary Constituencies in the country.

Thus, EVMs were first used on an experimental basis in the general election in Kerala in May 1982. **So, Statement 1 is not correct.**

ADDITIONAL INFORMATION:

ELECTRONIC VOTING MACHINES (EVMs)	
About	➤ An EVM consists of two units, namely, the Control Unit (CU) and Balloting Unit (BU), with a cable (5 m long) for connecting both. ➤ A Balloting Unit caters to up to 16 candidates. There are a number of variants available for the EVMs. Time-to-time, it has evolved and has become more robust. ➤ In case of pre-2006 (M1) and post-2006 EVMs (M2), 4 (Four) Balloting Units can be cascaded together to accommodate up to a maximum of 64 candidates (including NOTA), which can be used with one Control Unit. ➤ In case of upgraded post-2006 EVMs (M3), 24 (Twenty-Four) Balloting Units can be cascaded together, catering to 384 candidates (including NOTA), which can be used with one Control Unit. ➤ It runs on a power pack (Battery) having 7.5 volts. In case of M3 EVM, power packs are inserted in 5th, 9th, 13th, 17th & 21st Balloting Units, if more than 4 BUs are connected to a Control Unit. ➤ On the right side of the BU along the candidates' vote button, digits 1 to 16 are embossed in Braille signage for the guidance of visually impaired electors. ➤ The design and application of EVMs in the elections are considered a significant achievement in global democracy.
Voter Verifiable Paper Audit Trail (VVPAT)	➤ Voter Verifiable Paper Audit Trail (VVPAT) is an independent system attached to the Electronic Voting Machines that allows the voters to verify that their votes are cast as intended. ➤ When a vote is cast, a slip is printed on the VVPAT printer containing the serial number, name and symbol of the candidate and remains exposed through a transparent window for 7 seconds. ➤ Thereafter, this printed slip automatically gets cut and falls into the sealed drop box of the VVPAT. ➤ VVPAT consists of a Printer and a VVPAT Status Display Unit (VSDU). But in the M3 version of the VVPAT, there is no separate VSDU. Instead, the Control Unit (CU) of the M3 EVM directly shows the VVPAT status. ➤ VVPAT runs on a power pack (Battery) of 22.5 volts. The Control Unit and VSDU are kept with the Presiding Officer/Polling Officer, and the Balloting Unit and Printer are kept in the voting compartment.

86. Which one of the following developments first disrupted the cycle of simultaneous elections in India?

- (a) Dissolution of the Fourth Lok Sabha in 1970.
- (b) Dissolution of the Fifth Lok Sabha during the Emergency.
- (c) Premature dissolution of some State Assemblies in 1968–69.**
- (d) Extension of the term of the Fifth Lok Sabha under Article 356.

EXPLANATION:

The concept of simultaneous elections is not new to India. Post adoption of the Constitution, the elections to Lok Sabha and all State Legislative Assemblies were held simultaneously between 1951 and 1967, when the cycle of synchronised elections got disrupted.

- The first general elections to the Lok Sabha and all State Legislative Assemblies were held together in **1951-52**. That practice continued over three subsequent general elections held in the years of **1957, 1962 and 1967**.
- However, due to the **premature dissolution** of some Legislative Assemblies in **1968 and 1969**, the cycle got disrupted for the first time.

- In 1970, the Fourth Lok Sabha was dissolved prematurely, and fresh elections were held in 1971. Thus, First, Second and Third Lok Sabha enjoyed full five-year terms.

Therefore, the cycle of simultaneous elections in India was disrupted due to the Premature dissolution of some State Assemblies in 1968–69. **So, Option (c) is correct.**

Lok Sabha	Last date of poll	Date of constitution of Lok Sabha	Date of first sitting	Date of expiration of term (Article 83(2) of Constitution)	Date of dissolution of Lok Sabha	Overall Term (in days) (Col 6 - Col 4)	Overall Term (approx)
1	2	3	4	5	6	7	8
First	21-Feb-52	2-Apr-52	13-May-52	12-May-57	4-Apr-57	1787	5 years
Second	15-Mar-57	5-Apr-57	10-May-57	9-May-62	31-Mar-62	1786	5 years
Third	25-Feb-62	2-Apr-62	16-Apr-62	15-Apr-67	3-Mar-67	1782	5 years
Fourth	21-Feb-67	4-Mar-67	16-Mar-67	15-Mar-72	27-Dec-70	1382*	3 years & 10 months
Fifth	10-Mar-71	15-Mar-71	19-Mar-71	18-Mar-77	18-Jan-77	2132**	5 years & 10 months
Sixth	20-Mar-77	23-Mar-77	25-Mar-77	24-Mar-82	22-Aug-79	880*	2 years & 5 months
Seventh	6-Jan-80	10-Jan-80	21-Jan-80	20-Jan-85	31-Dec-84	1806	5 years
Eighth	28-Dec-84	31-Dec-84	15-Jan-85	14-Jan-90	27-Nov-89	1777	5 years
Ninth	26-Nov-89	2-Dec-89	18-Dec-89	17-Dec-94	13-Mar-91	450*	1 year & 3 months
Tenth	15-Jun-91	20-Jun-91	9-Jul-91	8-Jul-96	10-May-96	1767	5 years
Eleventh	7-May-96	15-May-96	22-May-96	21-May-01	4-Dec-97	561*	1 year & 6 months
Twelfth	7-Mar-98	10-Mar-98	23-Mar-98	22-Mar-03	26-Apr-99	399*	1 year & 1 month
Thirteenth	4-Oct-99	10-Oct-99	20-Oct-99	19-Oct-04	6-Feb-04	1570*	4 years & 4 months

ADDITIONAL INFORMATION:

SIMULTANEOUS ELECTIONS

About

- The term “Simultaneous Elections” would broadly mean structuring the Indian election cycle in a manner that elections to the Lok Sabha and State Assemblies are synchronised. In such a scenario, a voter would normally cast his/her vote for electing members of the Lok Sabha and State Assembly on a single day and at the same time.
- The concept of simultaneous elections is, in fact, not new to the country. Post adoption of the Constitution, elections to Lok Sabha and all State Legislative Assemblies were held simultaneously over the period 1951 till 1967, when the cycle of synchronised elections got disrupted.
- **Article 83(2)** of the Constitution provides for a normal term of five years for the House of People (Lok Sabha).
- **Article 172 (1)** provides for a similar tenure for the State Legislative Assembly from the date of its first sitting.
- Both Lok Sabha and State Assemblies do not have a fixed term and can be dissolved earlier than their normal terms. Various provisions in the Constitution and relevant directions laid down by the Supreme Court of India drive the stipulations (grounds leading to such dissolution, who has the power to effect such dissolution, etc. that may cause early dissolution of legislatures.
- Tenure of the House cannot be extended beyond 5 years except in an emergency situation.
- The Election Commission of India is empowered to notify elections to both Lok Sabha and State Legislative Assemblies six months prior to the end of the normal terms of the Houses.

87. Which of the following expenditures shall be charged on the Consolidated Fund of India?

1. The emoluments and allowances of the president and other expenditures relating to his office.
2. The emoluments and allowances of the Prime Minister and other expenditure relating to his office.
3. The salaries and allowances of the Chairman and the Deputy Chairman of the Council of State.
4. The Salaries and allowances of the Speaker and the Deputy Speaker of the Lok Sabha.

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 and 4 only

EXPLANATION:

The Consolidated Fund of India is the most important government fund. All government receipts are credited to it and all government payments are made from it. In simple terms, the following are credited to this fund:

- All revenues received by the Government of India.
- All loans raised by the Government, whether through treasury bills, loans, or ways and means advances.
- All repayments of loans made to the Government.

No money from the Consolidated Fund of India can be withdrawn without authorization by Parliament.

Expenditure Charged on the Consolidated Fund of India

- The emoluments and allowances of the President and other expenditure relating to his office. **So, Statement 1 is correct.**
- The salaries and allowances of the Chairman and the Deputy Chairman of the Council of States and the Speaker and the Deputy Speaker of the House of the People. **So, Statements 3 and 4 are correct.**
- Debt charges for which the Government of India is liable, including interest, sinking fund charges, redemption charges, and other expenditure relating to raising loans and the service and redemption of debt.
 - The salaries, allowances and pensions payable to or in respect of Judges of the Supreme Court.
 - The pensions payable to or in respect of Judges of the Federal Court.
 - The pensions payable to or in respect of Judges of any High Court that exercises jurisdiction in any area included in the territory of India, or that before the commencement of this Constitution exercised jurisdiction in any area included in a Governor's Province of the Dominion of India.
- The salary, allowances and pension payable to or in respect of the Comptroller and Auditor-General of India.
- Any sums required to satisfy any judgment, decree or award of any court or arbitral tribunal.
- Any other expenditure declared by this Constitution or by Parliament by law to be charged on the Consolidated Fund of India.

The salary and allowances of the Prime Minister are determined by the Parliament from time to time. He gets the salary and allowances that are payable to a member of Parliament. Additionally, he gets a sumptuary allowance, free accommodation, a travelling allowance, medical facilities, etc.

At Present, the Prime Minister receives a salary of Rs 1.66 lakh per month. This includes a parliamentary allowance of Rs 45,000, an expense allowance of Rs 3,000, a daily allowance of Rs 2,000, and a basic pay of Rs 50,000. **So, Statement 2 is not correct.**

ADDITIONAL INFORMATION:

TYPES OF FUNDS	
About	The Constitution of India provides for the following three kinds of

	funds for the Central government: ➤ Consolidated Fund of India (Article 266) ➤ Public Account of India (Article 266) ➤ Contingency Fund of India (Article 267)
Consolidated Fund of India:	The Consolidated Fund of India is the most important government fund. All government receipts are credited to it, and all government payments are made from it. It includes: ➤ All revenues received by the Government of India. ➤ All loans raised by the Government through treasury bills, loans, or ways and means advances. ➤ All money received by the Government in repayment of loans. All legally authorised government expenditure is made from this fund. No money can be withdrawn from it without parliamentary approval.
Public Account of India	All public money not included in the Consolidated Fund of India is credited to the Public Account of India. This includes: ➤ Provident fund deposits ➤ Judicial deposits ➤ Savings bank deposits ➤ Departmental deposits ➤ Remittances, etc. This account is operated through executive action, meaning payments can be made without parliamentary approval. Most payments are routine banking-type transactions.
Contingency Fund of India	The Constitution allows Parliament to create a Contingency Fund of India to meet urgent and unforeseen expenditure. ➤ Parliament established it through the Contingency Fund of India Act, 1950. ➤ The fund is placed at the disposal of the President, who can approve advances to meet unexpected expenses pending later approval by Parliament. ➤ It is held by the Finance Secretary on behalf of the President. ➤ Like the Public Account, it is operated through executive action.

88. Which of the following could be considered a precondition for the establishment of a federal government?

- A desire among a group of communities or states to form a regional association to augment their bargaining power with the neighbouring bigger states, without sacrificing any of their autonomous powers to a higher authority.
- A desire among a group of communities or states to leave all primary functions of government to a central and independent authority, retaining with them only some welfare work.
- A desire among a group of communities or states to form an association among themselves to face some problems relating to communications and defence without any desire to establish a single independent government above them on a lasting basis.
- A desire among a group of communities or states to function under a single independent government for some purposes on a lasting basis, without surrendering their autonomy in other areas.**

EXPLANATION:

A confederation is an association of independent, sovereign states that join together to achieve common goals while retaining their full autonomy. It is stronger than an alliance but weaker than a federation. Confederations have institutions with limited authority to make decisions, but implementation primarily depends on the voluntary cooperation of member states. In essence, it is a union formed to

share certain functions, like defence or bargaining power, without surrendering sovereignty to a central authority. **So, Option (a) is not correct.**

A unitary state is a system of political organisation in which most or all governing power resides in a centralised government, unlike a federal state.

In unitary systems, the central Government may delegate authority to subnational units, but these units remain subject to central control. Most nation-states are unitary, though the degree of decentralisation varies.

Examples:

- Great Britain: Delegates power in practice but remains unitary in principle.
- France: Centralised system where some local officials are appointed by the central Government, others elected.
- United States: Each State has a unitary structure within itself for local governance (note: this is internal to each State; federally, the US is a federation). **So, Option (b) is not correct.**

In an alliance, independent states or communities come together for specific purposes—such as defence, trade, or communications—without creating a permanent central government.

Unlike a confederation, there is no lasting central authority, and the Union is temporary or functional. Alliances are generally weaker than confederations and are based on mutual agreement rather than constitutional arrangements. An example of an alliance is the North Atlantic Treaty Organisation (NATO). **So, Option (c) is not correct.**

Federalism is a system of Government that constitutionally divides powers between the central Government and the states.

It allows the states to enjoy substantial autonomy in certain areas while sharing authority in others, balancing the need for unity with the desire for self-government. Thus, federalism seeks to balance the need for national unity with the desire for regional self-government.

A key precondition for a true federation is that the states agree to share major governmental functions with the central Government while retaining significant independence in other matters. **So, Option (d) is correct.**

89. Which of the following statements regarding the residuary powers of the Constitution of India are correct?

1. Residuary powers have been given to Parliament.
2. In the matter of residuary powers, the Constitution of India follows the Constitution of Australia.
3. The final authority to decide whether a particular matter falls under the residuary power or not is Parliament.
4. The Government of India Act, 1935, a primary source for the 7th schedule, placed residuary powers in the hands of the Governor-General.

Select the correct answer using the codes given below:

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

EXPLANATION:

Article 248 of the Indian Constitution deals with residuary powers of legislation. Under this Article, Parliament has the exclusive authority to legislate on any matter not listed in the State List or Concurrent List.

This power of Parliament includes the right to enact laws imposing taxes on subjects not mentioned in either of these lists, ensuring that matters outside the scope of state and concurrent jurisdiction are addressed at the national level. **So, Statement 1 is correct.**

The Government of India Act, 1935—considered the primary source for the 7th Schedule—provided for the establishment of an All-India Federation consisting of provinces and princely states as units.

- The Act divided powers between the Centre and the units through three lists: the Federal List (for the Centre, with 59 items), the Provincial List (for the provinces, with 54 items), and the Concurrent List (for both, with 36 items).
- The Act assigns the Residuary powers to the Governor-General rather than the legislatures. **So, Statement 4 is correct.**
- The Indian Constitution keeps this three-fold division but follows the **Canadian model (not the Australian model)** in assigning residuary powers to the Union Parliament. **So, Statement 2 is not correct.**
- The Constitution also establishes a hierarchy of laws:
 - Union List prevails over both State and Concurrent Lists.
 - Concurrent List prevails over the State List.
 - If central and state laws conflict on a Concurrent subject, the central law prevails, unless the state law has Presidential assent, though Parliament can override it later.

The Supreme Court of India is the ultimate authority in determining whether a subject falls under residuary powers. While Parliament has the authority to legislate on these subjects, it is the judiciary that interprets the Constitution to decide if a matter truly qualifies as residuary. **So, Statement 3 is not correct.**

90. Which of the following statements about the Joint Parliamentary Committee (JPC) system is/are correct?

1. It can be appointed through a motion adopted by one House and concurred by the other.
2. It can be appointed by agreement between the presiding officers of the two Houses.
3. Its members are either elected by the Houses or nominated by the presiding officers.

Select the correct answer using the codes given below:

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

EXPLANATION:

Parliament can set up two kinds of committees: standing committees and ad-hoc committees.

- A Joint Parliamentary Committee (JPC) is an ad-hoc body constituted by Parliament for a specific purpose, such as detailed scrutiny of a Bill or investigation of allegations of financial irregularities in government activities.
- As the name suggests, it includes members from both the Lok Sabha and the Rajya Sabha, including members from the ruling parties and the opposition.
- A JPC exists only for the duration of its assigned task and is dissolved once the task is completed or its term ends.

Formation and Membership:

- A JPC is formed after one House of Parliament passes a motion and the other House agrees to it. **So, Statement 1 is correct.**
- JPC has MPs from both houses of Parliament. They include Opposition members.
- Members are decided by Parliament; they are neither directly elected by the Houses nor nominated by the presiding officers. **So, Statement 3 is not correct.**
- Typically, the number of Lok Sabha members is double that of Rajya Sabha members.
- Members include representatives from both the government and opposition parties.

According to the Lok Sabha Secretariat (LSS), a JPC is a panel that can be appointed by the House, the Speaker, or the presiding officers of both Houses in consultation with each other, as the situation requires, on an ad-hoc basis for a particular purpose.

This provision explains that a JPC can be constituted by agreement between the presiding officers of both Houses.

It confirms that, besides being set up through a motion in Parliament, the presiding officers can also agree to form a JPC, subject to the approval and participation of Parliament in determining its members. **So, Statement 2 is correct.**

ADDITIONAL INFORMATION:

JOINT PARLIAMENTARY COMMITTEE	
Powers of JPC	The JPC can conduct its affairs as per the terms of its constitution however in the process of conducting its business it has the following powers which are not inclusive: ➤ JPC can gather oral as well as written evidence of all types by asking anybody to depose before it on oath. ➤ JPC can inspect all documents related to the subject. ➤ JPC can summon anybody to appear before it and the non-compliance of that summon would amount to contempt of the house. ➤ Generally, a minister or the Prime Minister are not summoned by the JPC
The Procedure of JPC	➤ The JPC may formulate its own procedure however the guidelines issued in chapter VIII of the general directions issued by the speaker generally govern the procedure. ➤ The proceedings of the committee are by and large confidential. ➤ The members who do not agree to the recommendations of the committee may write their dissent note which forms a part of the JPC records. ➤ While the recommendations of a JPC have persuasive value, they are not binding on the government. ➤ The government can choose to launch further investigations based on what the JPC has said, but it can't be forced to do so. ➤ "The government is required to report on the follow-up action taken on the basis of the recommendations of the JPC and other committees. ➤ The committees then submit 'Action Taken Reports' in Parliament on the basis of the government's reply,"

91. Which of the statements about the Public Accounts Committee (PAC) of Parliament is/are correct?

1. The PAC has the authority to scrutinise the appropriation and finance accounts of the government, as well as the reports of the Comptroller and Auditor General.
2. PACs are appointed on an ad-hoc basis as the need arises and cease to exist once they complete the tasks assigned to them.
3. The PAC comprises members from both Houses of Parliament.

Select the correct answer using the codes given below:

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

EXPLANATION:

The functions of the public accounts Committee(PAC), as enshrined in Rule 308(1) of the Rules of Procedure and Conduct of Business in Lok Sabha, include examination of accounts showing the appropriation of sums granted by Parliament for the expenditure of the Government of India, the

annual finance accounts of the Government and such other accounts laid before the House as the Committee may think fit.

It scrutinises the Appropriation and finance accounts of the Government of India and the Report of the Comptroller & Auditor General of India. **So, Statement 1 is correct.**

The PAC was set up in 1921 as per the Montague-Chelmsford Reforms. The Government of India Act 1919 mandated the Governor-General-in-Council to formulate such committees at the Centre as well as the provincial levels so that the accounts of the government are examined to detect any kind of abnormality or deviation from rules and regulations, extravagance, losses, delays, etc. The 1935 Act included a provision that the report of the PAC must be tabled in the Legislature.

➤ Later, the 1947 Act mandated that the Committee would present its report to the President. The Committee on Public Accounts, which is the most prestigious Committee of Parliament, is constituted every year to examine accounts showing the appropriation of sums granted by the Parliament for the expenditure of the Government of India. The Committee became a Parliamentary Committee on 26th January 1950.

Thus, the Public Accounts Committee is a standing committee, not an ad hoc committee, and it is reconstituted annually. **So, Statement 2 is not correct.**

The Public Accounts Committee is now constituted every year under Rule 308 of the Rules of Procedure and Conduct of Business in Lok Sabha.

- Prior to the year 1954-55, the Committee consisted of 15 members who were elected by the Lok Sabha from amongst its members.
- But with effect from the year 1954-55, 7 members from the Rajya Sabha are also associated with the Committee.
- Now, the Public Accounts Committee consists of not more than 22 members, comprising 15 members elected by the Lok Sabha every year from amongst its members according to the principle of proportional representation by means of single transferable vote and not more than 7 members of the Rajya Sabha elected by that House in like manner.

So, Statement 3 is correct.

ADDITIONAL INFORMATION:

FUNCTIONS OF THE PUBLIC ACCOUNTS COMMITTEE	
Examination of Accounts	The PAC examines accounts and the report of the CAG to ascertain that the appropriated funds by the Parliament have been spent with economy and efficiency as per the following conditions: ➤ The expenditure must not surmount the funds allocated by Parliament. ➤ The expenditure has been incurred for the specific activity that was apportioned by Parliament. ➤ Only the authorised officials have spent the allocated funds. ➤ The authorised officials have not neglected any vote of Parliament by using it more than a grant.
Procedure	The PAC confirms if the procedure used in the maintenance of accounts has been in accordance with the rules and laws. The PAC has the power to call for persons, papers, or records for the purpose of evidence. Although the committee can report or recommend a specific item, it cannot prohibit any expenditure.
Additional Functions	The PAC is supposed to perform these following functions: ➤ It scrutinises income and expenditure statement of state corporations, trading and manufacturing schemes and projects. ➤ Examination of accounts of autonomous and semi-autonomous bodies. ➤ It scrutinises the accounts of those stores and stocks of which the CAG has conducted an audit.

Tax Administration	The Committee examines various aspects of the government's tax administration, such as cases involving under-assessments, tax evasion, non-levy of duties, etc. It also identifies the loopholes in the taxation laws and procedures and makes recommendations to check the leakage of revenue.
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92. Match List I with List II and select the correct answer using the codes given below::

	List I		List I
(A)	Vote on account	1.	Lump-sum money granted without detailed estimates
(B)	Vote on credit	2.	Additional expenditure not covered in the approved budget.
(C)	Supplementary grants	3.	Amount spent in excess of the demand for grants
(D)	Excess demand for grants	4.	Grants in advance pending budgetary approval

Codes :

	A	B	C	D
(a)	1	4	3	2
(b)	1	4	2	3
(c)	4	1	2	3
(d)	4	1	3	2

EXPLANATION:

In addition to the budget that contains the ordinary estimates of income and expenditure for one financial year, various other grants are made by the Parliament under extraordinary or special circumstances:

- **Vote on accounts:** A Vote on Account is a constitutional provision that enables the Lok Sabha to grant the government funds in advance to meet its expenditure for a part of the financial year, usually for two months. This is necessary when the full Budget, including the voting on Demands for Grants and the passing of the Appropriation Bill, cannot be completed before the start of the new financial year.
The Constitution, therefore, authorises the Lok Sabha to make temporary grants to ensure the continuity of government operations. **A-4.**
- **Vote of Credit** - It is granted for meeting an unexpected demand upon the resources of India, when, on account of the magnitude or the indefinite character of the service, the demand cannot be stated with the details ordinarily given in a budget. Hence, it is like a blank cheque given to the Executive by the Lok Sabha. **B-1.**
- **Supplementary Grant:** It is granted when the amount authorised by the Parliament through the appropriation act for a particular service for the current financial year is found to be insufficient for that year.
Article 115(1) states that the President shall if the amount authorised by any law made in accordance with the provisions of article 114 to be expended for a particular service for the current financial year is found to be insufficient for the purposes of that year or when a need has arisen during the current financial year for supplementary or additional expenditure upon some new service not contemplated in the annual financial statement for that year. **C-2.**
- **Additional Grant** - It is granted when a need has arisen during the current financial year for additional expenditure upon some new service not contemplated in the budget for that year.
- **Excess Grant** - It is granted when money has been spent on any service during a financial year in excess of the amount granted for that service in the budget for that year. It is voted on by the Lok Sabha after the financial year. Before the **demands for excess grants** are submitted to the Lok Sabha for voting, they must be approved by the Public Accounts Committee of Parliament. **D-3.**

93. With respect to the Parliamentary and Presidential systems, Which one of the following statements is **not** correct?

- (a) The parliamentary system has the leadership of the Prime Minister, whereas the presidential system has the President as the leader of the government.
- (b) The parliamentary system has both a nominal head and an actual head, whereas the presidential system has only one head.
- (c) The parliamentary system features integration between the legislature and the executive, whereas the presidential system has separation between the two.
- (d) **In the parliamentary system, sovereignty rests with Parliament, whereas in the presidential system, the President is sovereign.**

EXPLANATION:

In the parliamentary system, the chief executive of the state is the Prime Minister. He is normally the leader of the majority party in Parliament. He plays a leadership role in this system of government. He is the leader of the council of ministers, leader of Parliament, and leader of the party in power. In these capacities, he plays a significant and highly crucial role in the functioning of the government.

The presidential system is a form of government in which the president is the chief executive and is elected directly by the people. Here, the president is both the head of state and head of government.

So, Option (a) is correct.

In a parliamentary system, the executive is dual in nature. There is a nominal head of state, such as a monarch or President, who serves primarily as a ceremonial figure, and a real executive, usually the Prime Minister and the Council of Ministers, who hold actual governing powers.

Conversely, in a presidential system, the executive is single. The President serves both as the head of state and the head of government, combining ceremonial duties with administrative powers. **So, Option (b) is correct.**

The distribution of powers further separates the two systems. Parliamentary systems feature a fusion of powers, with ministers drawn from the legislature and the executive closely linked to the legislative process. Presidential systems maintain a strict separation of powers, with independent legislative, executive, and judicial branches that act as checks on each other. **So, Option (c) is correct.**

In a parliamentary form of government, the executive authority is responsible to the elected representatives of the people in Parliament for all its decisions and actions. Sovereignty rests ultimately with the people. In a presidential system, sovereignty is with the people. **So, Option (d) is not correct.**

ADDITIONAL INFORMATION:

DIFFERENCE BETWEEN PARLIAMENTARY AND PRESIDENTIAL FORM OF GOVERNEMENT		
Aspect	Parliamentary System	Presidential System
Executive	Dual executive – nominal and real	Single executive – President
Head of State and Government	President(Head of the state) Prime minister(Head of the government)	President
Accountability	Executive is accountable to legislature	Executive is not accountable to legislature
Tenure	Uncertain, depends on confidence of legislature	Fixed tenure
Powers	Fusion of powers	Separation of powers
Ministers	Members of legislature	Usually outsiders, not members of legislature

Dissolution of Legislature	Lower house can be dissolved	Legislature cannot be dissolved before term
Stability	Less stable, subject to no-confidence motion	More stable, fixed term ensures continuity
Flexibility	Flexible, can adapt to political changes	Rigid, difficult to remove President before term
Examples	India, UK, Japan	USA, Brazil, Argentina

94. Consider the following statements with respect to Article 368 of the Indian Constitution:

1. A Constitution Amendment Bill can be introduced by minister or a private member in either House of Parliament.
2. To amend the 7th Schedule of the Constitution, ratification of half of the State legislatures is essential.

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

EXPLANATION:

A constitutional amendment is a formal change or addition made to a country's Constitution. It allows the Constitution to be updated, modified, or clarified to meet new needs or address issues that were not anticipated when it was originally written.

The procedure for the amendment of the Constitution as laid down in Article 368 is as follows:

- An amendment of the Constitution can be initiated only by the introduction of a bill for the purpose in either House of Parliament and not in the state legislatures.
- Thus, A proposal to amend the Constitution can be introduced in both houses of the parliament.
- The bill can be introduced either by a minister or by a private member and does not require prior permission of the president. **So, Statement 1 is correct.**

Provisions of the Constitution that affect the federal structure—such as the powers and functioning of the Union and the states—can be amended through a special majority of Parliament and with the approval of at least half of the state legislatures by a simple majority.

- If some states do not act, it does not affect the process; once half of the states approve, the requirement is complete.
- There is no time limit for states to give their consent.
- The following provisions require both special majority in Parliament and ratification by half of the states:
 - Election of the President and its procedure
 - Extent of executive powers of the Union and the states
 - Supreme Court and high courts
 - Distribution of legislative powers between the Union and the states
 - Goods and Services Tax Council
 - Any of the lists in the Seventh Schedule **So, Statement 2 is correct.**
 - Representation of states in Parliament
 - Power of Parliament to amend the Constitution and its procedure (Article 368)

These amendments require both Parliament's special majority and state ratification, ensuring federal consensus.

ADDITIONAL INFORMATION:

CONSTITUTIONAL AMENDMENT	
Procedure for Constitutional Amendment	Passing in Parliament: • The bill must be passed separately in both Houses by a special majority, which means: • A majority of the total membership of the House, and • A two-thirds majority of members present and voting. • If the two Houses disagree, there is no provision for a joint sitting. Ratification by States: • If the bill affects federal provisions, it must be ratified by at least half of the state legislatures by a simple majority of members present and voting. • There is no time limit for states to give consent, and the approval of the remaining states is not necessary. Assent by the President: • After passage in Parliament and, where required, ratification by states, the bill is presented to the President for assent. • The President must give assent and cannot withhold or return the bill. Becoming Law: • Once the President gives assent, the bill becomes a Constitutional Amendment Act, and the Constitution is amended accordingly.
Ways of amending the constitution	The Constitution can be amended in three ways: ➤ Amendment by simple majority of the Parliament ➤ Amendment by special majority of the Parliament, ➤ Amendment by special majority of the Parliament and the ratification of half of the state legislatures.
By Simple Majority	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: ➤ Admission or establishment of new states. ➤ Formation of new states and alteration of areas, boundaries or names of existing states. ➤ Abolition or creation of legislative councils in states. ➤ Second Schedule—emoluments, allowances, privileges and so on of the president, the governors, the Speakers, judges, etc. ➤ Quorum in Parliament. ➤ Salaries and allowances of the members of Parliament. ➤ Rules of procedure in Parliament. ➤ Privileges of the Parliament, its members and its committees. ➤ Use of English language in Parliament. ➤ Number of puisne judges in the Supreme Court. ➤ Conferment of more jurisdiction on the Supreme Court. ➤ Use of official language. ➤ Citizenship—acquisition and termination. ➤ Elections to Parliament and state legislatures. ➤ Delimitation of constituencies. ➤ Union territories. ➤ Fifth Schedule—administration of scheduled areas and scheduled tribes. ➤ Sixth Schedule—administration of tribal areas
By Special Majority	➤ The majority of the provisions in the Constitution need to be amended by a special majority of the Parliament, that is, a majority 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. ➤ 'Strictly speaking, the special majority is required only for voting at the third reading stage of the bill but by way of abundant caution the requirement for special majority has been provided for in the rules of the Houses in respect of all the effective stages of the bill'. ➤ The provisions which can be amended by this way includes: • Fundamental Rights • Directive Principles of State Policy; • All other provisions which are not covered by the first and third categories
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95. With reference to the Vice President of India, consider the following statements:

1. The electoral college for the Vice President election is the same as that of the President of India.
2. Both the Presidential and Vice-Presidential elections are held according to the system of proportional representation by means of the single transferable vote.
3. The Constitution mentions 'incapacity' as a ground for the removal of the Vice President.

How many of the above statements is/are correct?

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

EXPLANATION:

The term "electoral college" in India primarily refers to the body that elects the President and the Vice-President.

- **Article 54**, The President shall be elected by the members of an electoral college consisting of the elected members of both Houses of Parliament, and the elected members of the Legislative Assemblies of the States.
- While **Article 66** is related to the Election of Vice-President, the Vice-President shall be elected by the members of an electoral college consisting of the members of both Houses of Parliament in accordance with the system of proportional representation by means of the single transferable vote, and the voting at such election shall be by secret ballot.

Thus, this electoral college is different from the electoral college for the election of the President in the following two respects:

- The Electoral College of Vice-President consists of both elected and nominated members of the Parliament, while, in the case of the president, only elected members of Parliament.
- The Electoral College of Vice-President does not include the members of the state legislative assemblies, while, in the case of the President, the elected members of the state legislative assemblies are included. **So, Statement 1 is not correct.**

- The President is the head of the State, and his power extends both to the administration by the Centre as well as to the states. Consequently, it is necessary that in his election, not only members of Parliament should play their part, but the members of the state legislatures should have a voice.
- But when we come to the Vice-President, his normal functions are to preside over the Council of States. It is only on a rare occasion, and that too for a temporary period, that he may be called upon to assume the duties of the president.

- But the manner of election is the same in both cases (The Election of the President and Vice-President).

Thus, the Vice-President's election, like that of the President's election, is held in accordance with the system of proportional representation by means of the single transferable vote, and the voting is by secret ballot. **So, Statement 2 is correct.**

The Vice-President holds office for a term of five years from the date on which he enters upon his office. However, he can resign from his office at any time by addressing the resignation letter to the President.

- He can also be removed from the office before completion of his term. A formal impeachment is not required for his removal.
- He can be removed by a resolution passed by a majority of all the then members of the Rajya Sabha and agreed to by the Lok Sabha. This means that this resolution should be passed in the Rajya Sabha by an effective majority and in the Lok Sabha by a simple majority. It must be noted here that the effective majority in India is only a type of special majority and not a separate one.
- Further, this resolution can be introduced only in the Rajya Sabha and not in the Lok Sabha. But, no such resolution can be moved unless at least 14 days' advance notice has been given.

Notably, the Constitution does not specify any grounds for his removal. **So, Statement 3 is not correct.**

96. With respect to the postal ballot in India, consider the following:

1. Electors above 60 years of age
2. Electors with benchmark disabilities
3. Service voters

How many of the above can avail of the postal ballot facility in India?

- (a) Only one
- (b) Only two**
- (c) All three
- (d) None

EXPLANATION:

Mail-in ballots, also referred to as postal ballots, offer registered voters the option to vote by mail rather than visiting a polling station.

- It is a convenient alternative for those who cannot vote in person due to reasons such as being away from their home district, having a disability, or fulfilling essential duties on election day.
- Recently, in a gazette notification, the Union Law Ministry amended the Conduct of Elections Rules-1961 to change the definition of senior citizens who are eligible to choose the postal ballot facility from those "above 80 years" to those "above 85 years".
- The rules enable postal ballot voting for a "notified class of electors", which includes:
 - Essential services workers. **So, Statement 3 is correct.**
 - Persons with disabilities. **So, Statement 2 is correct.**
 - Senior citizens.
 - Under the Conduct of Elections Rules, 1961, Rule 27A(e) originally classified senior citizens—eligible for the postal ballot facility—as voters above 80 years of age. However, through a recent amendment, the government has revised this age criterion, substituting the words "above 80 years" with "above 85 years." Therefore, Electors aged above 85 years can vote through a Postal ballot. **So, Statement 1 is not correct.**

 People aged 85 and above	 Persons with Disabilities The disability shall not be less than 40% of the prescribed handicap and certified by the certifying authority	 Mediapersons covering 'polling day activities' Carrying authorisation letters from the Election Commission	 Workers from essential services Services such as metros, railways and health care	 Service voters Personnel of the armed forces posted away from their hometowns, Central Armed Police Forces personnel deployed away from home and those on poll duty
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ADDITIONAL INFORMATION:

ELECTRONICALLY TRANSMITTED POSTAL BALLOT SYSTEM (ETPBMS)	
About	➤ With the motto of "no voter to be left behind", ECI's ETPBMS has empowered and ensured all eligible service electors with their constitutional power to vote while performing their duty for the nation. ➤ This system ensures that the postal ballot is transmitted to the service voter with complete documents (form 13A, 13B, 13C, and the postal ballot) in a secure way. ➤ The Electronically Transmitted Postal Ballot System (ETPBMS) was developed by the Election Commission of India and implemented in line with the existing Postal Ballot System. ➤ Postal Ballot will be transmitted through electronic means to the voters. ➤ It enables the voters to cast their vote on an electronically received postal ballot from their preferred location, which is outside their originally assigned voting constituency, and send back the marked postal ballot through the post. ➤ Here in the ETPBMS system, this postal ballot is sent in two parts: e-Postal Ballot and e-PB PIN. ➤ The e-Postal Ballot is sent to the Unit officer of the service officer, who will receive it as a password-protected PDF. Similarly, the e-PB PIN will be sent to the Record officer of the service voter. The Service voter has to collect the e-PB and the e-PB PIN from both officers, take printouts and follow the instructions to cast the vote. The e-PB needs to be sent to the provided address before the counting date by Post.

97. With reference to the Speaker of the Lok Sabha, consider the following statements:

1. The Speaker cannot vote when a resolution for his/her removal is under consideration by the House.
2. A Speaker can continue in office till the end of the Lok Sabha's tenure even if he/she ceases to be a member of Parliament.

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

EXPLANATION:

As per Article 96, when a resolution for the removal of the Speaker is under consideration of the House, he cannot preside at the sitting of the House, though he may be present. However, he can speak and take part in the proceedings of the House at such a time and vote in the first instance, though not in the case of an equality of votes.

Therefore, the Speaker can vote when a resolution for his/her removal is under consideration by the House. **So, Statement 1 is not correct.**

The Speaker and Deputy Speaker are the presiding officers of the Lok Sabha.

- As per Article 94, the Speaker continues in office even after the Lok Sabha is dissolved, and holds office until immediately before the first sitting of the newly constituted Lok Sabha.
- However, this continuity is subject to the condition that the Speaker must remain a member of the House.
- If he/she ceases to be a member of the Lok Sabha, whether due to resignation, disqualification under Article 102, or vacation of seat under Article 101, the office of the Speaker is vacated automatically.

Therefore, a Speaker should be a member of Parliament to continue in office till the end of the Lok Sabha's tenure. **So, Statement 2 is not correct.**

ADDITIONAL INFORMATION:

THE SPEAKER OF LOK SABHA	
Recently in the News	Lok Sabha Speaker Om Birla has expressed deep concern over the diminishing quality of parliamentary debates and the shrinking number of sittings in both Parliament and state legislatures, warning that the credibility of democratic institutions hinges on meaningful discussion, decorum, and dialogue.
About	➤ The Speaker is elected from among the members of the lower house of the Parliament. The Lok Sabha MPs cast their votes in a secret ballot. The candidate who secures the majority of votes becomes the Speaker of the Lok Sabha. ➤ Any member of the Lok Sabha can be nominated for the position of Speaker. Usually, seniority, experience and impartiality are considered important factors in the selection of the Speaker. ➤ The Speaker holds office until the dissolution of the Lok Sabha unless he/she resigns or is removed from office by a resolution passed by a majority of all the members of the Lok Sabha.
Function	The Speaker of the Lok Sabha derives his powers and duties from three sources that is, the Constitution of India, the Rules of Procedure and Conduct of Business of Lok Sabha, and Parliamentary Conventions (residuary powers that are unwritten or unspecified in the Rules). ➤ He is the final interpreter of the provisions of (a) the Constitution of India, (b) the Rules of Procedure and Conduct of Business of Lok Sabha, and (c) the parliamentary precedents, within the House. ➤ He adjourns the House or suspends the meeting in the absence of a quorum. ➤ The quorum to constitute a meeting of the House is one-tenth of the total strength of the House. ➤ He presides over a joint sitting of the two Houses of Parliament. Such a sitting is summoned by the President to settle a deadlock between the two Houses on a bill. ➤ He decides the questions of disqualification of a member of the Lok Sabha, arising on the ground of defection under the provisions of the Tenth Schedule. In 1992, the Supreme Court ruled that the decision of the Speaker in this regard is subject to judicial review.

98. With reference to the Deputy Speaker of the Lok Sabha, consider the following statements:

1. The Speaker carries out the duties of the Deputy Speaker when the latter's office falls vacant.
2. The Deputy Speaker, while presiding over the House, can only vote in case of equality of votes.
3. The Deputy Speaker may be removed from his/her office by a resolution of the Lok Sabha passed by a majority of all the then Members of the House, provided that no resolution shall be moved unless at least fourteen days' notice has been given.

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

EXPLANATION:

Article 93 states the Lok Sabha shall, as soon as may be, choose two members of the House to be respectively Speaker and Deputy Speaker thereof, and, so often as the office of Speaker or Deputy Speaker becomes vacant, the House shall choose another member to be Speaker or Deputy Speaker, as the case may be.

The Deputy Speaker performs the duties of the Speaker's office when it is vacant. He also acts as the Speaker when the latter is absent from the sitting of the House. In both cases, he assumes all the powers of the Speaker. He also presides over the joint sitting of both the Houses of Parliament, in case the Speaker is absent from such a sitting.

Therefore, in the absence/vacancy of the Speaker of the Lok Sabha, the Deputy Speaker of the Lok Sabha performs the Speaker's duties, not vice versa. **So, Statement 1 is not correct.**

Like the Speaker, the Deputy Speaker, while presiding over the House, cannot vote in the first instance.

- The Deputy Speaker can only exercise a casting vote in the case of a tie.
- Further, when a resolution for the removal of the Deputy Speaker is under consideration of the House, he cannot preside at the sitting of the House, though he may be present. **So, Statement 2 is correct.**

Article 94, Vacation and resignation of, and removal from, the offices of Speaker and Deputy Speaker; Like the Speaker, the Deputy Speaker remains in office usually during the life of the Lok Sabha. However, he may vacate his office earlier in any of the following three cases:

- If he ceases to be a member of the Lok Sabha;
- If he resigns by writing to the Speaker, and
- If he is removed by a resolution passed by a majority of all the then members of the Lok Sabha.

Such a resolution can be moved only after giving 14 days' advance notice. **So, Statement 3 is correct.**

ADDITIONAL INFORMATION:

PRESIDING OFFICERS OF THE PARLIAMENT	
About	Each House of Parliament has its own presiding officer. There are a Speaker and a Deputy Speaker for the Lok Sabha and a Chairman and a Deputy Chairman for the Rajya Sabha. A panel of chairpersons for the Lok Sabha and a panel of vice-chairpersons for the Rajya Sabha is also appointed.
Deputy Speaker of Lok Sabha	Election of the Deputy Speaker ➤ The Deputy Speaker is elected from among the Lok Sabha members by a simple majority of members present and voting. ➤ The election of the Deputy Speaker usually takes place in the second session, even though there is no bar on having this election in the first session of the new Lok Sabha or Assembly. But the election of Deputy Speaker is generally not delayed beyond the second session unless there are some genuine and unavoidable constraints.

	➤ Once elected, the Deputy Speaker usually continues in office until the dissolution of the House.
Speaker Pro Tem	As provided by the Constitution, the Speaker of the last Lok Sabha vacates his office immediately before the first meeting of the newly elected Lok Sabha. Therefore, the President appoints a member of the Lok Sabha as the Speaker Pro Tem. Usually, the seniormost member is selected for this. The President himself administers the oath to the Speaker Pro Tem. ➤ The Speaker Pro Tem has all the powers of the Speaker. ➤ He presides over the first sitting of the newly elected Lok Sabha. His main duty is to administer the oath to the new members. ➤ He also enables the House to elect the new Speaker. When the new Speaker is elected by the House, the office of the Speaker Pro Tem ceases to exist. Hence, this office is a temporary office, existing for a few days.

99. Consider the following statements:

Statement-I:

The term of office of a member of the Rajya Sabha is six years.

Statement II:

The Constitution has fixed the term of office of members of the Rajya Sabha.

Statement III:

No Rajya Sabha member has retired before the completion of a six-year term.

Which of the following is correct with respect to the above statements?

- (a) Both Statement II and Statement III are correct, and both of them explain Statement I.
- (b) Both Statement II and Statement III are correct, but only one of them explains Statement I.
- (c) Only one of Statements II and III is correct, and that explains Statement I.
- (d) Neither Statement II nor Statement III is correct.**

EXPLANATION:

The Rajya Sabha (first constituted in 1952) is a continuing chamber, that is, it is a permanent body and not subject to dissolution. However, one-third of its members retire every second year. Their seats are filled by fresh elections and presidential nominations at the beginning of every third year. The retiring members are eligible for re-election and renomination any number of times.

The term of a member of the Rajya Sabha is six years, but a member elected in a bye-election serves for the remainder of the term of the vacancy caused. **So, Statement I is correct**

The Constitution has not fixed the term of office of members of the Rajya Sabha and left it to the Parliament. Accordingly, the Parliament in the Representation of the People Act (1951) provided that the term of office of a member of the Rajya Sabha shall be six years. **Statement II is not correct.**

As per the Representation of the People Act (1951), the president of India is empowered to curtail the term of members chosen in the first Rajya Sabha.

- In 1952, the first Rajya Sabha had staggered retirements determined by lottery, so many members retired after 2 years or 4 years, not 6.
- Bye-elected members also retire before 6 years because they serve only the unexpired term of the seat.

Therefore, a Rajya Sabha member has retired before the completion of a six-year term on many occasions. **So, Statement III is not correct.**

ADDITIONAL INFORMATION:

DURATION OF TWO HOUSES	
Recently in the News	The Monsoon Session of Parliament, which began on July 21, 2025, concluded after 21 sittings over 32 days, with both Houses registering low productivity because of repeated disruptions. The Lok Sabha functioned for only 37 hours out of the scheduled 120 hours, while the Rajya Sabha managed 41 hours and 15 minutes, reflecting a productivity of just 31% and 38.8%, respectively.
Rajya Sabha	Unlike the Lok Sabha, the Rajya Sabha is not subject to dissolution, but one-third of its members retire after every second year. This ensures continuity as well as change so far as the House is concerned, and retirement as well as replenishment so far as the composition is concerned.
Lok Sabha	Unlike the Rajya Sabha, the Lok Sabha is not a continuing chamber. Its normal term is five years from the date of its first meeting after the general elections, after which it automatically dissolves. ➤ However, the President is authorised to dissolve the Lok Sabha at any time, even before the completion of five years, and this cannot be challenged in a court of law. ➤ Further, the term of the Lok Sabha can be extended during the period of national emergency by a law of Parliament for one year at a time for any length of time. However, this extension cannot continue beyond a period of six months after the emergency has ceased to operate.

100. Which of the following are the merits of the Parliamentary form of Government?

1. Harmony between the legislature and the executive
2. Stable government
3. Responsible government
4. Government by experts

Select the correct answer using the code given below:

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

EXPLANATION:

The Constitution of India provides for a parliamentary form of Government, both at the Centre and in the states. Articles 74 and 75 deal with the parliamentary system at the Centre, and Articles 163 and 164 deal with the states. The parliamentary system of Government is the one in which the executive is responsible to the legislature for its policies and acts.

Merits of the Parliamentary system:

➤ **Harmony Between Legislature and Executive**

The greatest advantage of the parliamentary system is that it ensures a harmonious relationship and cooperation between the legislative and executive organs of the Government. The executive is a part of the legislature, and both are interdependent at work. As a result, there is less scope for disputes and conflicts between the two organs. **So, Statement 1 is correct.**

➤ **Responsible Government**

By its very nature, the parliamentary system establishes a responsible government. The ministers are responsible to the Parliament for all their acts of omission and commission. The Parliament exercises control over the ministers through various devices like question hour, discussions, adjournment motion, no-confidence motion, etc. **So, Statement 3 is correct.**

➤ **Prevents Despotism**

Under this system, the executive authority is vested in a group of individuals (the Council of Ministers) and not in a single person. This dispersal of authority checks the dictatorial tendencies of the executive. Moreover, the executive is responsible to the Parliament and can be removed by a no-confidence motion.

➤ **Ready Alternative Government**

In case the ruling party loses its majority, the Head of State can invite the opposition party to form the Government. This means an alternative government can be formed without fresh elections.

➤ **Wide Representation**

In a parliamentary system, the executive consists of a group of individuals (i.e., ministers who are representatives of the people). Hence, it is possible to provide representation to all sections and regions in the Government. The prime minister, while selecting his ministers, can take this factor into consideration.

Demerits of the Parliamentary system:

➤ **Unstable Government**

The parliamentary system does not provide a stable government. There is no guarantee that a government can survive its tenure. The ministers depend on the mercy of the majority of legislators for their continuity and survival in office. A no-confidence motion, political defection or the evils of a multiparty coalition can make the Government unstable. The Government headed by Morarji Desai, Charan Singh, V.P. Singh, Chandra Sekhar, Deva Gowda and I.K. Gujral are some such examples. **So, Statement 2 is not correct.**

➤ **No Continuity of Policies**

The parliamentary system is not conducive to the formulation and implementation of long-term policies. This is due to the uncertainty of the tenure of the Government. A change in the ruling party is usually followed by changes in the policies of the Government. For example, the Janata Government, headed by Morarji Desai in 1977, reversed a large number of policies of the previous Congress Government. The Congress government repeated the same after it came back to power in 1980.

➤ **Dictatorship of the Cabinet**

When the ruling party enjoys an absolute majority in the Parliament, the cabinet becomes autocratic and exercises nearly unlimited powers. H.J. Laski says that the parliamentary system gives the executive an opportunity for tyranny. Ramsay Muir, the former British Prime Minister, also complained of the 'dictatorship of the cabinet'. This phenomenon was witnessed during the era of Indira Gandhi and Rajiv Gandhi.

➤ **Against Separation of Powers**

In the parliamentary system, the legislature and the executive are together and inseparable. The cabinet acts as the leader of the legislature as well as the executive. As Bagehot points out, 'the cabinet is a hyphen that joins the buckle that binds the executive and legislative departments together.' Hence, the whole system of Government goes against the letter and spirit of the theory of separation of powers. In fact, there is a fusion of powers.

➤ **Government by Amateurs**

The parliamentary system is often viewed as less conducive to administrative efficiency because ministers are typically **not experts** in their respective fields. The Prime Minister's choice is limited to members of Parliament, which restricts access to external professional talent. Additionally, ministers spend much of their time on parliamentary duties, cabinet meetings, and party responsibilities, leaving limited scope to develop subject-specific expertise.

In contrast, Presidential systems (such as in the USA) allow the President to appoint any qualified individual as a secretary, enabling the inclusion of experts, specialists, and technocrats in the administration.

So, Statement 4 is not correct.