



Fact Sheet Prep Series Part - 16

ANSWER KEY WITH EXPLANATION

POLITY

(PART - III)

1 Ans. c

Explan - The Attorney General of India does not have any executive authority. He cannot defend an accused in the criminal proceedings and accept the directorship of a company without the permission of the Government. The Attorney General is responsible for giving advice to the Government of India upon such legal matters and to perform such other duties of legal character as may be referred or assigned to him by the President.

2. Ans. c

Explan - No such charge shall be preferred unless-(a) the proposal to prefer such charge is contained in a resolution which has been moved after at least fourteen days' notice in writing, signed by not less than one-fourth of the total number of members of the House, has been given of their intention to move the resolution, and (b) such resolution has been passed by a majority of not less than two-thirds of the total membership of the House. When a charge has been so preferred by either House of Parliament, the other House shall investigate the charge or cause the charge to be investigated and the President shall have the right to appear and to be represented at such investigation. If as a result of the investigation a resolution is passed by a majority of not less than two-thirds of the total membership of the House by which the charge was investigated or caused to be investigated, declaring that the charge preferred against the President has been sustained, such resolution shall have the effect of removing the President from his office as from the date on which the resolution is so passed."

3. Ans. d

4. Ans. b

Explan - The CAG (Comptroller and Auditor General of India) is a constitutional body created under Article 148

of the Constitution. The primary function of PAC is to examine the annual audit reports of CAG and submit its findings to the Parliament.

5. Ans. d

Extra Information - The exact duties of every citizen of India according to the Constitution are: to cherish and follow the noble ideals which inspired our national struggle for freedom; to defend the country and render national service when called upon to do so; to renounce practices derogatory to the dignity of women; to value and preserve the rich heritage of our composite culture; to protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for living creatures; to safeguard public property and to abjure violence; to strive towards excellence in all spheres of individual and collective activity so that the nation constantly rises to higher levels of endeavour and achievement.

6. Ans. c

Explan - Except Art 20 and 21 all the fundamental rights are suspended. The President declares national emergency based on the official request from the Prime Minister and the Council of Ministers. The state of emergency expires after a month unless it's approved by the Parliament within that stipulated timeframe. According to Article 352(6), the majority of both the houses is needed to approve emergency. The emergency period can be extended indefinitely by passing resolutions every six months.

7. Ans. a

Explan - Parliament has the exclusive powers to impeach the President and remove judges of the Supreme Court and the High Court's through a prescribed procedure. Parliament can also punish a person for contempt or



defamation of the House.

8. Ans. a

Explan - Amending the cultural rights under Article 29 will require special majority. Modification of state representation in Parliament will require special majority as well as ratification by at least half the states.

9. Ans. c

Explan - Only a minister takes the oath of secrecy. During oath taking ceremony that minister takes two oaths - one is for office and other for secrecy.

10. Ans. c

Explan - The panchayat as a body accountable to the general body of the village known as Gram Sabha which meets at least twice a year. The Gram Panchayat must present its budget, accounts of the previous year and annual administrative report before the Gram Sabha. Furthermore, it has to secure the latter's approval of the village production plan, proposals for taxation and development programmes before they are enforced by the panchayat. Every panchayat elects a president or Sarpanch and a Vice-President or Up-Sarpanch. In some states, the Sarpanch is directly elected by the gram sabha either through the show of hands or through secret ballot. The sarpanch occupies a pivotal position in gram panchayat system. He supervises and coordinates the various activities of the panchayat.

11. Ans. c

Explan - The provisions of the Administrative Tribunals Act, 1985 do not, however, apply to members of paramilitary forces, armed forces of the Union, officers or employees of the Supreme Court, or to persons appointed to the Secretariat Staff of either House of Parliament or the Secretariat staff of State/Union Territory Legislatures. A Chairman who has been a sitting or retired Judge of a High Court heads the Central Administrative Tribunal.

12. Ans. d

Related Information - The Governor may address the Legislative Assembly....; The Governor may send messages to the House, (Article 175) Special Address to the House by the Governor (Article 176), The Governor assents, withholds assent or reserves for the consideration of the Bill passed by the Legislative Assembly, (Article 200). The Governor shall in respect of every financial year cause to be laid before the House.... a statement of the estimated receipts and expenditure. (Article 202) No demand for a grant shall be made except on the recommendation of the Governor. (Article 203(3)) The Governor shallcause to be laid before the House another statement showing estimated amount of expenditure. (Article 205). The Governor may promulgate

the ordinances under certain circumstances.

13. Ans. c

14. Ans. a

Explan - The posts of the Solicitor General and the Additional Solicitors General are merely statutory, while Attorney General for India is a Constitutional post.

15. Ans. c

Explan - President and governor are granted personal immunity for their official acts but not for their personal acts.

16. Ans. d

17. Ans. c

Extra Information - The Vice-President is elected by an electoral college consisting of members of both Houses of Parliament, in accordance with the system of proportional representation by means of the single transferable vote and the voting in such election is by secret ballot. The Electoral College to elect a person to the office of the Vice-President consists of all members of both Houses of Parliament. The Vice-President is not a member of either House of Parliament or of a House of a Legislature of any state.

18. Ans. c

Explan - Bicameralism at the centre and rigidity of the constitution are the federal features of the Constitution.

19. Ans. b

Explan - The most remarkable feature of the Act was the provincial autonomy. With the abolition of Dyarchy at provinces, the entire provincial administration was instructed to the responsible ministers who were controlled and removed by the provincial legislatures. The act divided the powers between the Centre and provinces in terms of three list-Federal List (for Centre, with 59 items), Provincial List (for Provinces, with 54 items), and Concurrent list (for both, with 36 items). Residuary powers were given to the Viceroy.

20. Ans. d

Explan - Constituent Assembly first met on December 9, 1946

21. Ans. a

Explan - Under federal system there is an independent Supreme Court as the arbiter of the disputes between the union and the units. The federal system is also believed to bring a sense of unity among the people having diverse cultures, languages and territories. Whereas, under unitary system all powers are vested with the central legislature.

22. Ans. c



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Explan - Within a year of the adoption of the universal declaration of Human Rights, the assembly incorporated in the constitution of India the substance of motto of these rights. The two parts, the fundamental rights and directive principles of the constitution of India between them covered almost the entire field of Human rights.

23. **Ans. b**

Explan - An illegal migrant cannot acquire the Citizenship of India. The Citizenship Act, 1955, prescribes three ways of posing citizenship viz, renunciation, termination and deprivation. If a citizen has, within five years after registration or naturalisation, been imprisoned in any country for two years, his citizenship is compulsorily terminated by the Central Government.

24. **Ans. c**

Explan - It is open for the Lok Sabha, to either accept or reject all or any of the recommendations of the Rajya Sabha. If the Lok Sabha accepts any of the recommendations of the Rajya Sabha, the Money Bill is deemed to have been passed by both Houses with the amendments recommended by the Rajya Sabha and accepted by the Lok Sabha. If the Lok Sabha does not accept any of the recommendations of the Rajya Sabha, the Money Bill is deemed to have been passed by both Houses in the form in which it was passed by the Lok Sabha without any of the amendments recommended by the Rajya Sabha. In case a Money Bill is not returned by the Rajya Sabha to the Lok Sabha within a period of fourteen days from the date of its receipt, it is deemed to have been passed by both Houses in the form in which it was passed by the Lok Sabha after the expiry of said period.

25. **Ans. d**

26. **Ans. d**

Extra Information - For misbehaviour, (In this, the matter is enquired by the Supreme Court, if he/she is found guilty the President can remove him/her). The Constitution mentions that – 50% of the members of UPSC should be those who have held government office for at least 10 years. It mentions no other qualification. The President of India is empowered by the Constitution to determine the conditions of service of the Chairman and other members of the public service commission at the time of their appointment. All the members (including the Chairman) hold office for a six years term, or until they attain the age of 65 years.

27. **Ans. a**

Explan - The original jurisdiction of the Supreme Court extends to the following types of cases: (i) Constitutional disputes between the Union Government and the state

Governments. (ii) Disputes which arise between and among the various states of the Indian Union. (iii) The constitution gives extensive original jurisdiction to the Supreme Court in regard to the enforcement of Fundamental Rights. It is empowered to issue order or writs in the nature of habeas corpus, mandamus, prohibition, quo warrant and a certiorari to enforce the Fundamental Rights.

28. **Ans. d**

Explan - It is the Parliament which can impose reasonable restrictions on the FRs of the citizens. It's the Courts which decide upon the reasonableness of the restrictions placed on fundamental rights.

29. **Ans. c**

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

30. **Ans. b**

Related Information - Parliamentary Committees are of two kinds: Ad hoc Committees and the Standing Committees. Ad hoc Committees are appointed for a specific purpose and they cease to exist when they finish the task assigned to them and submit a report. Apart from the Ad hoc Committees, each House of Parliament has Standing Committees like the Business Advisory Committee, the Committee on Petitions, the Committee of Privileges and the Rules Committee, etc. Other Committees-Of special importance is yet another class of Committees which act as Parliament's 'Watch Dogs' over the executive. These are the Committees on Subordinate Legislation, the Committee on Government Assurances, the Committee on Estimates, the Committee on Public Accounts and the Committee on Public Undertakings and Departmentally Related Standing Committees (DRSCs).

31. **Ans. d**

32. **Ans. d**

Related Information - The broad criteria for specifying the said areas is being provided in the proposed article 243-0.

33. **Ans. c**

Explan - The Constitution (92nd Amendment) Act, 2003 - this amendment has added four more languages in the 8th schedule of the constitution raising the number of the languages to 22. Those languages are: Maithili, Dogri, Bodo and Santhali. The Constitution (71st Amendment)



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Act, 1992 - Nepalese, Konkani and Manipuri added to the Eight scheduled (Languages) as recognised languages in the constitution.

34. Ans. d

35. Ans. a

Explan - The courts cannot compel the governments to enforce the directives. On the whole, Part IV contains a formidable list of directives given to the executive and the legislatures to follow in issuing orders or making laws. The directives may be used by any party with any ideology. In fact, the Directive Principles are codified versions of democratic socialist order as conceived by Nehru with an admixture of Gandhian thought.

36. Ans. c

37. Ans. c

38. Ans. d

39. Ans. d

Explan - All the statements are correct. The Preamble of the Constitution of India sets out the guiding purpose and principles of the document, and it indicates the source from which the document which derives its authority i.e. the People. The hopes and aspirations of the people as well as the ideals before our nation are described in the Preamble in clear cut words.

40. Ans. c

Explan - The Parliament has to approve financial emergency within two months. Such emergency remains enforced till it is revoked by the President. During financial emergency, the President can reduce the salaries of all government officials, including judges of the Supreme Court and High Courts. The President has to approve all money bills passed by the State legislatures. Although India has witnessed economic volatility in the past, financial emergency was never imposed. The country had bailed itself out by putting its gold assets as collateral for foreign credit.

41. Ans. d

Related Information - As the Chief Executive Officer of the Panchayat Samiti, the Block Development Officer is entrusted with the responsibility for implementing the resolutions of the Samiti and its Standing Committees. He prepares the budget of the Samiti and places it before the Samiti for approval. Preparing the annual report of the Samiti and sending it to the Zila Parishad and State Government also comes within the purview of his responsibility. He is accountable to the president of the Samiti for his action.

42. Ans. a

Explan - Article 54 says that the President shall be elected by the members of an electoral college, which consists of the elected members of both the Houses of Parliament,

and the Legislative Assemblies of the States and the two Union Territories, namely Delhi and Pondicherry. The oath of the President is administered by the Chief Justice of India, and in his absence, by the most senior judge of the Supreme Court.

43. Ans. d

Explan - The Chairman and other members of UPSC shall be appointed by President of India. The Constitution has not specified the strength of members of UPSC and left it on discretion of President. Generally, UPSC consist of 9 to 11 members.

44. Ans. a

Related Information - The States High Courts like the Supreme Court has the power of Judicial Review. A High Court has the power to strike down any law of the State or any order of the executive if it violates any provision of the constitution or curtails or takes any of the Fundamental Rights of the people. The State High Court performs many administrative functions within its Territorial Jurisdiction. It exercises the power of superintendence and control over all courts and tribunals throughout the territory except the military tribunals.

45. Ans. d

Explan - Equality means no section of the society enjoys special privileges and individuals are provided with adequate opportunities without any discrimination. Secular: In SR. Bommai vs UOI (1994) The SC of India held "A state which does not recognize any religion as the state religion, it treats all religions equally". Republic: means Head of the State is an elected person and not a heredity monarch. The manner of election can be both direct and indirect. However, in India, the Head of the State is indirectly elected.

46. Ans. d

47. Ans. a

Explan - The following additional expenditure shall be expenditure charged on the Consolidated Fund of India- 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 any High Court which exercises jurisdiction in relation to any area included in the territory of India or which at any time before the commencement of this Constitution exercises jurisdiction in relation to any area included in a Governors 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 so charged.

48. Ans. d



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Related Information - The Ministers are divided into three categories, viz., Cabinet Ministers, Ministers of State and Deputy Ministers. The Cabinet is an informal body of senior Ministers who form the inner circle. It is like a wheel within a wheel. The Council of Ministers, seldom meets as a body. It is the Cabinet which meets as and when summoned by the Prime Minister.

49. Ans. b

Explan - Lieutenant governors are appointed in Union Territories of Delhi, Andaman Nicobar Island and Pondicherry. All other union-territories are governed by an Administrative Head (an IAS officer). The only exception is Chandigarh. The governor of Punjab is also the lieutenant governor of Chandigarh.

50. Ans. d

Related Information - According to Justice V. R. Krishna Iyer, PIL is a process, of obtaining justice for the people, of voicing people's grievances through the legal process. The aim of PIL is to give to the common people of this country access to the courts to obtain legal redress. Any public spirited citizen can move/ approach the court for the public cause (in the interests of the public or public welfare) by filing a petition: In Supreme Court under Art.32 of the Constitution; In High Court under Art.226 of the Constitution.

Director : Ms. Akhtar J. Khan

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