

NEW AGE

INDIAN CONSTITUTION

M. Raja Ram



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M. Raja Ram

Assistant Professor
Department of Mechanical Engineering
S.J.C. Institute of Technology
Chickballapur, Karnataka



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Gandhiji's Talisman

I will give you a Talisman. Whenever you are in doubt or when the self becomes too much with you, apply the following test:

Recall the face of the poorest and weakest man whom you may have seen and ask yourself if the step you contemplate is going to be of any use to him. Will he gain anything by it? Will it restore him to a control over his own life and destiny? In other words, will it lead to Swaraj for the hungry and spiritually starving millions?

Then you will find your doubts and your doubts and your self melting away.

— M. K. Gandhi

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Preface

The Subject on **Indian Constitution** has been introduced to all Undergraduate Courses at degree level by almost all Universities in the Country. This is very important subject, where every citizen must understand our Constitution and its components. However, it is expected that this Book may help the aspirants who are preparing for their Competitive Examinations (All India / State Services Examinations).

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M. RAJA RAM

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I

UNIT

BASIC STRUCTURE OF CONSTITUTION

Meaning of the term 'Constitution' – Its Importance – Making of the Indian Constitution 1946-49 – Dr. B. R. Ambedkar's Contribution – Preamble – Method of Amending the Constitution – An Overview of Constitutional Developments

Government: A country has a definite boundary. The people residing in the country are its citizens. To ensure a peaceful and orderly life in the country, an organization is required. Such an organization is called the Government. It organizes the people and looks after their welfare. How is a government formed? What are its powers, functions and organs? What are the rights of the citizens? Answers to these questions are found in a document known as the '*Constitution*'.

Constitution: The word 'Constitution' is developed from the word 'Constitute', which means 'to frame or to establish or to compose'. According to the Oxford English Dictionary, 'Constitution' means a 'system', according to which the laws and principles of the State is governed. It is a set of fundamental rules according to which the government of a State. It is a document which contains the rules and regulations guiding the administrations of a State. It defines the relationship between the rulers and the ruled and how rulers are created in the country. It may be written, or unwritten as in the case of Great Britain. It explains the powers belonging to the government, the fundamental rights of the citizens and the relationship between the citizens and the government. It upholds the principle that all citizens are equal before the law. Any law which is not in accordance with the Constitution becomes invalid.

It is a document which is the supreme law of the land. It has derived from a Latin word '*salus populi suprema lex*' meaning '*welfare of the people is the supreme law*'. Hence, the Constitution of India is a public document which is considered as the voice of the people. It

is the document having a legal sanctity. Constitution is an important instrument which confers powers, rights, functions, principles, restrictions and obligations on the part of individuals, states and everybody who are the citizens of India. The purpose of the Constitution is to maintain harmonious relations between the individuals and the states on the one hand and between the different organs of the government on the other. The Constitution reflects the will and wish of the people.

There are THREE pillars of the Constitution: *Legislature, Executive and Judiciary*. This is known as 'Doctrine of Separation of Power' (Lord Montesquieu). There are TWO types of Constitution: *Rigid and Flexible* Constitutions.

Few Definitions of Constitution

- ▶ The way of life the state has chosen for itself – Aristotle
- ▶ It is the collection of principles according to which the powers of the government, the rights of the governed and the relation between the two are adjusted – Woolsey
- ▶ It is that body of rules, or laws written or unwritten which determines the organization of government, the distribution of power to the various organs of the government and the general principles on which these powers are to be exercised – Gilchrist
- ▶ It consists of those of its rules or laws which determine the form of the government and the respective rights and duties of the citizens towards the government – Lord Bryce
- ▶ It is the rules which govern the State – Maciver

Partition and Independence of India

- ▶ *Wavell Plan and Shimla Conference*: Lord Wavell relieved Linlithgao as the new Viceroy of India in October, 1943. The Second World War also ended in 1945. Elections were to be held in England. Sensing the increasing popularity of the Labour Party, the Churchill government again tried to convey the message that the British government was determined to carry out the constitutional reforms in India. Churchill called Lord Wavell to England in 1945 for discussion. On his arrival back in India, Lord Wavell offered a new plan for Constitutional Reforms. Lord Wavell summoned Conference of Indian leaders at Shimla on 25th June, 1945. All the political persons were released from jails. Gandhi was also set free from the house arrest. The representatives of the Congress, the Muslim League, Sikhs, the oppressed class and the Europeans in the Central Parliament attended the Conference. Lord Wavell tabled his Plan and which was outlined the proposal to end the communal problem, remove the political deadlock and reconstitution of the Executive Council of Viceroy.

It was proposed to leave the Executive Council completely in charge of the Indians, excepting the Commander-in-Chief. All the departments were proposed to be transferred to the Indians. The responsibility of the new Council was to devise the system of Administration and Constitution. Under the plan, the Viceroy's authority and rights were to remain intact, but the Viceroy was not misuse his authority and rights. It was also proposed to summon a joint meeting of all parties

to prepare anonymous or separate lists for appointment of members of the Executive Council.

On papers, the Wavell Plan appeared reasonable and progressive, but in practice, Lord Wavell did nothing to remove the communal and separatist trends, he rather helped it to take deeper roots. The appointment of the members to the Executive Council became a bone of contention. The scheduled tribes demanded separate representation. The Plan as well as the Conference ended in failure, due to the unreasonable attitude of Jinnah and short-sightedness of Lord Wavell, on 14th July, 1945.

In the general elections of England, held in July, 1945, the Labour Party of England gained majority and Churchill was replaced by C. R. Attlee as the new Prime Minister of England. The Labour Party was moderate in its policy towards India. Soon after this Lord Wavell was summoned to England for talks on the Indian problems. Attlee announced holding of elections in India for the Provincial as well as the Central Councils. In 1945-46 elections, the Congress gained in the general category and Muslim League in reserved category. The Congress won 57 and the Muslim League 30 seats for the Central Assembly. Likewise, Congress got majority in the Provincial Councils. In the Hindu dominated provinces, the Congress formed the cabinet. The Muslim League formed the government in Bengal and Sind, but in Punjab, a coalition government was formed under the leadership of Khizr Hayat Khan.

- ▶ **Cabinet Mission Plan:** The position of the British after the end of Second World War was in critical situation and they wanted to please Indians in order to prolong their rule in India. The British could no more depend on the Indian Administrative Machinery, the Indian Police or the Indian Army. That was the greatest problem. The entire nation was engulfed by Movements and the indigenous kings were up in revolt.

Police had joined in these revolts. The revolt by the men of the Indian Navy on 18th February, 1946 added fuel to the fire. The British government got perturbed. Attlee announced on 19th February, 1946 to send a Cabinet Mission to India to look into the problems of the Indians. He also said that it was the right of India to decide what kind of the constitution they wanted. Attlee demanded the protection of the rights of the minority to stop the people in majority from taking strides in their progressive policies. It was an important announcement. First time, the British government had uttered the word '*Freedom*'.

The Cabinet Mission reached Delhi on 24th March, 1946. The objective of the Mission was to help India for achieving freedom as early as possible. The Mission spent nearly three weeks in discussion with the representatives of the various political parties. Bringing the Congress and the Muslim League closer was the greatest act of the Cabinet Mission.

Although, in the beginning, both the Congress as well as Muslim League accepted the Cabinet Mission, but the Congress did not like the Interim Government Plan. The Muslim League claimed that they were capable to form the interim government without the Congress. The Viceroy turned down this claim. Jinnah got a jolt by this action. When Jinnah noticed that the position of the League in the Constituent Assembly was weak, he rejected the Cabinet Mission Plan on 9th June, 1946, threatening direct action on 16th August, 1946 for the creation of Pakistan.

The Congress Working Committee passed a resolution on 8th August, 1946 accepting the Cabinet Mission's Plan for the establishment of Interim Government. Jawaharlal Nehru tried his best to persuade Jinnah to join the interim government but Jinnah was adamant on his point. On 24th August, 1946, the Viceroy announced the formation of the 14-member Cabinet of the Interim Government of India. Nehru was sworn-in as the Prime Minister of the Interim Government. This government had to take responsibility of administration on 2nd September, 1946. Later, Jinnah also had agreed to join the government on the advice of Viceroy on October 1946.

- ▶ *Government of India Act and Establishment of the Provincial Governments:* After the end of the third session of the Round Table Conference, the British Government issued a White Paper, based on which the Government of India Act 1935 was passed. Although, this Act failed to please either the Congress or the Muslim League, both the organizations took part in the 1937 provincial elections. The Congress gained majority in these elections.

The difference between the Congress and the Muslim League surfaced at the time of forming the governments after these elections. Jinnah tried his best to make the Muslim League a party which represented the Muslims. Jinnah was of the view that the Congress would seek the help of the Muslim League in forming the government in the Provinces where the Congress had not secured majority. On the other hand, the Congress was ready to include the Muslim League in the government either in the Provinces where the Congress was in majority, but there was only one condition that the Muslim League should leave its stand as a separate organization, but the Muslim League was not ready to do so and the Congress did not include it in the government. The Congress formed its governments in the six Provinces where it has gained majority. The Congress also succeeded in forming the government in North West Frontier Province, Assam and Sind with the support of other parties excluding the Muslim League. Jinnah got frustrated. The Muslim League succeeded in joining the governments in Bengal and Punjab with the help of Praja Party and the Unionists respectively. Jinnah blamed the Congress by saying "The Congress is responsible for making the Muslims more opponents". Now, Jinnah had only one aim – criticize the Congress on every issue.

- ▶ *Sikander – Jinnah Pact:* Lucknow Meeting of the Muslim League was held in 1937. An agreement was drawn between Jinnah and Sir Sikander Hayat Khan, the Chief Minister of Punjab, this agreement is known as the Sikander – Jinnah Pact. According to this Pact, it was agreed that the members of the Unionist Party would be granted the membership of the Muslim League but the ministry would be called as the Ministry of the Unionist Party. It was not a written agreement; it was just an announcement. Both had their selfish ends. Sikander wanted to avoid the opposition by the Muslim League and Jinnah wanted that Muslim League, somehow, should have some effective existence in Punjab. The new Muslim League in Punjab was thus recognized in 1938.
- ▶ *Pirpur Committee:* The Muslim League constituted a Committee to look into the incidents of violence on the Muslims. This Committee was known as the Pirpur Committee and it was headed by Raja Mehendi. The Committee published the 'Bihar Sharif Report and the Fazl-ul-Haq Report'.

- ▶ *India – The Parliamentary Secular Democratic Republic:* The Indian National Movement for Independence has given clear message to the British that they would not be able to continue ruling over this nation for a long time. Consequently, they finally decided to transfer the power to the Indians granting them the right to independence. In England, the Labour Party came in majority winning the elections held there after the end of the Second World War. The new British Prime Minister, Sir Attlee sent his Cabinet Mission to India in 1946 to discuss their conditions for the transfer of power.

According to his Plan, provisions were made for framing the Constitution of India and forming an Interim Government. A Constitution Committee was elected in July, 1946, which was made responsible for drafting the Constitution of India. The first meeting of the Constitution Committee was held on 9th December, 1946 under the Chairmanship of oldest member of the House, Dr. Sachidananda Sinha. Mahatma Gandhi did not accept its membership of any of the Committees.

Indian Independence Act, 1947

After the Cripps Mission failed in 1942, the British made one more effort in 1946 to transfer power as smoothly as possible to a united successor state. Accordingly, the Cabinet Mission arrived in India in 1946 under a directive from the Labour Prime Minister, Sir Attlee, to try and achieve the impossible. Surprisingly, it almost did. India was to be divided into three categories of States with the right to secede enshrined in the new Constitution, according to its proposal. Both the Congress and the Muslim League accepted the offer in principle.

The election to the Constituent Assembly was held in July, 1946 under the Cabinet Mission Plan. However, after the elections were over, the Muslim League refused to cooperate with the Congress in the Constituent Assembly. As a result thereof, the political situation in the country deteriorated and commenced countrywide communal riots. The Muslim League demanded a separate Constituent Assembly for Muslim India. On 3rd June, 1947, Lord Louis Mountbatten, the last British Governor-General of India, announced his Plan for scrapping the Cabinet Mission Plan and partitioning of the country into India and Pakistan. The Mountbatten Plan was finally accepted by the two leading parties in India and also the British Government.

Accordingly, the Indian Independence Act was passed by the British Parliament on 18th July, 1947 providing for the setting up a Dominion of India and Dominion of Pakistan on 15th August, 1947 and made them independent and free. Thus, power was transferred to the Indian hands on 15th August, 1947. Sovereignty of the British Parliament over these territories and the paramountcy of the British over the Indian States lapsed. As a result, the British Empire in India ceased to exist. Ever since then, 15th August is celebrated as India's Independence Day.

The main Provisions of the Indian Independence Act, 1947 are as follows:

- ▶ *New Dominions:* The Act set up two Dominions – India and Pakistan – from 15th August, 1947. Article 2 of the Act determined the territories of the two Dominions. The Pakistan Dominion was to consist of Baluchistan, Sind, West Punjab, North West Frontier Province (NWFP), and East Bengal, including Sylhet district of Assam. The remaining parts of British India were to constitute the Indian Dominion.

The fate of NWFP was to be decided by a referendum before 15th August, 1947 whether it was to join Pakistan or not. Similarly, a referendum was to be held in the Sylhet district of Assam and if the majority of votes cast went in favour of its joining Pakistan, it would form a part of East Bengal. The exact boundaries of these Provinces – West Punjab and East Bengal, including Sylhet – were to be determined by a Boundary Commission to be appointed by the Governor General. Till then these were to consist of the Muslim majority districts in Punjab and Bengal Provinces, respectively.

- ▶ *Governor-General:* The Act provided that for each Dominion, “there shall be a Governor-General to be appointed by His Majesty for the purpose of the governance of the Dominion”. The same person, unless the Legislature of each of these dominions passed a law otherwise, could be a Governor-General of both the Dominions.
- ▶ *Legislatures:* Until a new Constitution was framed for each Dominion, the Act made the existing Constituent Assemblies the Dominion Legislatures for the time being. The Dominion Legislatures were given full powers to make laws for their Dominions. They could pass laws having extra territorial operation. They could repeal or amend any Act of the British Parliament if the same was not in the interests of the Dominion concerned. No Act of the British Parliament in future shall extend to a Dominion unless it was extended by the law of the Legislature of the Dominion concerned.
- ▶ *Temporary Provisions as to the Government of each Dominion:* The Constituent Assembly of each Dominion was to act as Legislature of that dominion. Also it was to exercise powers for framing the Constitution of the Dominion. Except in so far as the Constituent Assembly enacted laws, each Dominion was to be governed so far as possible in accordance with the Government of India Act, 1935. However, discretionary and individual judgement powers of the Governor-General and Governors under that Act were to lapse. Similarly, no bills of the Provincial Assemblies could be reserved for the assent of His Majesty’s pleasure. Nor could His Majesty disallow a Provincial Law any more.
- ▶ *Indian States:* The sovereignty of the British Crown over the Indian States lapsed with effect from 15th August, 1947. Along with this, the treaties and agreements between His Majesty and the Indian States also lapsed. All authority, powers, rights or jurisdiction exercisable by His Majesty in relation to these States and all obligations and functions of His Majesty in relation thereto, also lapsed. The States, thus, became sovereign entities. The States were given the freedom, if they so wished, to join India or Pakistan, or to remain as independent entities.
- ▶ *Tribal Areas:* As in the case of Indian States, the treaties and agreements between His Majesty and any person having authority in the tribal areas lapsed; and so did the obligations, rights and functions of His Majesty under such agreements and treaties.
- ▶ *Abolition of the Office of Secretary of State for India:* The Office of the Secretary of State for India and his advisory board were abolished and instead the Secretary of Commonwealth Relations was to handle matters between the Dominions and Great Britain.
- ▶ *British Monarch was no longer Emperor of India:* The title ‘Emperor of India’ was deleted from the Royal style of the British Monarch.

- ▶ *Miscellaneous:* The other Provisions of the Act dealt with the Civil Services, the Armed Forces, the British Forces in India, etc. The rights and privileges of the Civil Services were protected. Provision was made for the division of the Armed Forces and retention of the authority and jurisdiction of His Majesty over the British Forces stationed on the territories of India and Pakistan.

Making or Framing of Indian Constitution

World War II in Europe came to an end on 9th May, 1945. In July, a new Government came to power in the United Kingdom. The new British Government announced its Indian policy and decided to convene a Constitution Drafting Body. Three British Cabinet members were sent to find a solution to the question of India's Independence. This team of Ministers was called the Cabinet Mission. The Cabinet Mission discussed the framework of the Constitution and laid down in some detail the procedure to be followed by the Constitution Drafting Body.

The Constitution of India was drawn up by a *Constituent Assembly* (established in accordance with the Cabinet Mission Plan) initially summoned on 9th December, 1946, under the Presidentship of Sachidananda Sinha, for undivided India in the Constitution Hall (now it is called as Central Hall of Parliament House). On 1st July, 1947, the British Parliament passed the 'Indian Independence Act', to divide into India and Pakistan. With the partition of India, the representatives of East Bengal, West Punjab, Sind and Baluchistan, NWFP and the Sylhet district of Assam, which joined Pakistan, ceased to be members of the Constituent Assembly.

On 14th August, 1947, the Constituent Assembly met again as the Sovereign Constituent Assembly for the dominion of India under the Presidentship of Mr. Sinha. On the demise of Mr. Sinha, Dr. Rajendra Prasad became the President of the Constituent Assembly (11th December, 1946). A Draft Constitution was published in February, 1948. 284 out of 299 members appended their signature to the Constitution and finally adopted it on 26th November, 1949. It came to effect on 26th January, 1950. The Constituent Assembly took almost three years (two years, eleven months and eighteen days to be precise) to complete its historic task of Drafting the Constitution for Independent India. During this period, it held eleven sessions covering a total of 166 days. Of these, 114 days were spent on the consideration of the Draft Constitution. Its sessions were open to the press and the public.

NOTE: The Constituent Assembly was elected by indirect election by the members of the Provincial Legislative Assemblies under a scheme formulated by the Cabinet Mission. The Constitutional Adviser to the Assembly Sir B. N. Rau prepared a Draft Constitution in October 1947. It contained 243 Articles and 13 Schedules. A Drafting Committee was elected by the Constituent Assembly on 29th August, 1947. It elected Dr. B. R. Ambedkar to be its President. The Constitution as prepared by the Drafting Committee was circulated on 21st February, 1948. This formed the basis of discussion in and outside the Constituent Assembly. It contained 315 Articles and 8 Schedules and was introduced on 4th November, 1948 by Dr. Ambedkar. The total number of amendments to the Draft Constitution tabled was 7635 and while 2473 amendments were actually moved in the Assembly.

The Indian Constitution Framers

The Union Jack fluttered atop Constitution Hall in Delhi on that winter day. Inside, the Constituent Assembly was in session. It was just past noon on 19th December, 1946 when Smt. Dakshayani Velayudan started her address, "Mr. Chairman, before express my views on the Resolution, let me pay my humble homage to our Revolutionary Father, Mahatma Gandhi. It is his mystic vision, his political idealism and his social passion that gave us the instruments to achieve our goal".

Sixty years since that speech was made, similar invocations of Gandhi, Nehru and other well-known leaders continue across places of learning, on community grounds and in elite circles across India. People discuss their virtues and some debate their actions. Names such as Sir B. N. Rau and Sri Saiyad Mohammed Saadulla do not evoke emotion among most Indians, although their work is often a subject of study by constitutional scholars. Indian Constitution, drafted by end of 1949, was an attempt by a nation to base its governance on laws and principles, a radical departure from a tradition of centuries when rajahs and plunderers forced their will on the masses.

The work on the framing of the Indian Constitution started well before Independence. On 19th December, 1946, when the first meeting of the Constituent Assembly was held, Dr. Sachchidananda Sinha, the Chairman of the Assembly, conveyed the gravity of the mission by saying, "My prayer is that the Constitution that you are going to plan may similarly be reared for 'Immortality', if the work of man may justly aspire to such a title, and it may be a structure of adamant strength, which will outlast and overcome all present and future destructive forces". Thereafter, the Assembly let a core group of its members take the lead in the drafting of the Constitution.

The following are list of 'fourteen forgotten framers' of Indian Constitution:

- ▶ *Sri M. A. Ayyangar*: He represented Madras and was a prominent Member of the Steering Committee and went on to become the Speaker of Lok Sabha.
- ▶ *Dewan Bahadur N. Gopalswami Ayyangar*: He represented Madras and was a Member of the Rules, Business, Drafting and several other Committees. He went on to become a Minister in the Government.
- ▶ *Dewan Bahadur Alladi Krishnaswami Ayyar*: He represented Madras and was a Member of the Rules, Drafting, Union Powers and several other Committees.
- ▶ *Sri Jairamdas Daulatram*: He represented East Punjab and was a Member of the Advisory, Union Subjects, and Provincial Constitutional Committees. He went on to become the Governor of Assam.
- ▶ *Sri Shankar Rao Dattatraya Deo*: He represented Bombay and was a Member of the Minorities, and the Fundamental Rights Sub-Committee; besides, he actively participated in several other Advisory Committees.
- ▶ *Smt. G. Durgabai*: She represented Madras and a Member of the Steering and Rules Committees.
- ▶ *Sri T. T. Krishnamachari*: He represented Madras and a Member of the Drafting Committee. He was a businessman who went on to become a Minister in the Government.

- ▶ *Sri H. C. Mukherjee*: He represented Bengal and was Vice President of the Assembly and Member of the Minority Rights Sub-Committee and Provincial Constitution Committee. He went on to become Governor of Bengal.
- ▶ *Sri K. M. Munshi*: He represented Bombay and was one of the most prominent members of the Assembly. He was a Member of several Committees including the Rules, Steering and Advisory Committees. He went on to become a Minister in the Government and then the Governor of Uttar Pradesh.
- ▶ *Sri N. Madhava Rau*: He represented Orissa and was a Member of the Drafting Committee.
- ▶ *Sri Saiyad Mohammed Saadulla*: He represented Assam and was a Member of the Steering and Drafting Committees.
- ▶ *Sri Satyanarayan Sinha*: He represented Bihar and was a Member of the Steering Committee and the Provincial Constitution Committee. He went to become the Minister of Parliamentary Affairs.
- ▶ *Sri B. Pattabhi Sitaramayya*: He represented Madras and was a Member of the Rules, States, Union Subjects and Provincial Constitution Committees. He went on to become the Governor of Madhya Pradesh.
- ▶ *Sir Benegal Narsing Rau*: Dr. Rajendra Prasad, before signing the Constitution on 26th November, 1949, thanked him for having 'worked honorarily all the time that he was here, assisting the Assembly not only with his knowledge and erudition but also enabled the other members to perform their duties with thoroughness and intelligence by supplying them with the material on which they could work'. He was not a Member of the Assembly but was perhaps as important in the framing of the Constitution as Dr. Ambedkar himself. He was also represented India at the United Nations.

Draft Constitution by Drafting Committee

The work started with the presentation of the '*Objective Resolution*' moved on 13th December, 1946 by Pandit Jawaharlal Nehru and was adopted on 22nd January, 1947. The Committee for scrutinizing the Draft Constitution and suggesting Amendments was formed on 29th August, 1947. The Draft was readied by February, 1948. The Constituent Assembly met thrice to read the Draft clause-by-clause in November, 1948, October, 1949 and November, 1949. After the third reading, it was signed by the President and adopted on 26th November, 1949. In fact, a Committee on Rules of Procedure was in place as early as December, 1946 under the Chairmanship of Dr. Bhimrao Ramji Ambedkar and Members were: Alladi Krishnaswami Ayyar, N. Gopalaswami Ayyangar, Dr. K. M. Munshi, Syed Md. Saadulla, B. L. Mitter (was replaced by N. Madhava Rao) and D. P. Khaitan (was replaced by T. T. Krishnamachari).

The Drafting Committee studied the Constitutions of number of countries like France, Canada, USA, Switzerland, etc. and gathered the best features and adopted them for the realization of the aspirations of the people of India in our Constitution. The result of it was that we have one of the best Constitutions of the world today. The Indian Constitution

closely follows the British Parliamentary Model but differs from it; the Constitution is Supreme, not Parliament. So the Indian Courts are vested with the authority to adjudicate on the constitutionality of any law passed by the Parliament. Few like,

- ▶ British Constitution
 - Parliamentary form of Government
 - The Idea of Single Citizenship
 - The Idea of the Rule of Law
 - Institution of Speaker and his/her Role
 - Law-making procedure
- ▶ United States Constitution
 - Charter of Fundamental Rights, which is similar to US's Bill of Rights
 - Federal Structure of Government
 - Organization and Powers of Supreme Court
 - Power of Judicial Review and Independence of the Judiciary
 - The post of Vice President
- ▶ Irish Constitution
 - Constitutional Enunciation of the Directive Principles of State Policy
- ▶ French Constitution
 - Republic
 - Ideals of Liberty, Equality and Fraternity
- ▶ Germany Constitution
 - Proclamation of Emergency
- ▶ Japanese and Chinese Constitution
 - The Idea of the Fundamental Duties
- ▶ Canadian Constitution
 - A Quasi-federal form of Government (a Federal system with a strong Central Government)
 - The Idea of Residual Powers
- ▶ Australian Constitution
 - The Idea of the Concurrent List
 - Freedom of Trade and Commerce within the Country and between the States
- ▶ South African Constitution
 - Constitutional Amendments
- ▶ Soviet Constitution
 - The Planning Commission and Five-year Plans

The Constitution has provided Provisions and the Procedures for the Amendment. The Parliament only can amend laws in the Constitution. Parliament has powers to make new

Provisions or to cancel the Provisions which are against the welfare of the public and can even correct the Provisions, which are known as Amendments.

The Constitution consists of the following: (1) The Preamble; (2) Parts / Chapters I to XXII covering Articles / Clauses 1 to 395; (3) Schedules 1 to 8 and (4) An Appendix and totaling some 1,17,369 words in its English language version. Today, it has XXVI Parts, 445 Articles and 12 Schedules and has undergone 92 Amendments.

On 26th January, 1950, the Constitution of Independent India was adopted. The Constitution declared India as a *Republic*. This day is observed every year as the Republic Day and celebrated as National Festival. As provided in the Constitution, the first General elections were held during 1951-52. And the first elected body (Parliament) with TWO Houses, namely, Rajya Sabha (RS) and Lok Sabha (LS), came into existence in May, 1952.

Nehru's Objective Resolution (The Underlying Ideology/Philosophy)

- ▶ India is an Independent, Sovereign, Republic;
- ▶ India shall be Union of erstwhile British Indian territories, Indian States, and other parts outside British India and Indian States as are willing to be apart of the Union;
- ▶ Territories forming the Union shall be autonomous units and exercise all powers and functions of the government and administration, except those assigned to or vested in the Union;
- ▶ All powers and authority of sovereign an Independent India and its Constitution shall flow from the people;
- ▶ All people of India shall be guaranteed and secured social, economic and political justice; equality of status and opportunities before law; and fundamental freedoms – of talk, expression, belief, faith, worship, vocation, association and action – subject to law and public morality;
- ▶ The minorities, backward and tribal areas, depressed and other backward classes, shall be provided adequate safeguards;
- ▶ The territorial integrity of the republic and its sovereign rights on land, sea and air shall be maintained according to justice and law of civilized nations; and
- ▶ The land would make full and willing contribution to the promotion of the world peace and welfare of mankind.

Main / Salient Features of Indian Constitution

1. **Written and Longhiest:** It is written one and is also the lengthiest in the world.
2. **Preamble:** At the beginning, there is a Preamble, which is important in several aspects. It narrates the ideals (Justice, Equality, Individual Dignity, Fraternity and National Unity) and aspirations of the Indian people.
3. **Republic:** India is a Republic. As a Republic, people have a right to form their own government and to elect the head of the government.

4. **Government of the People:** It upholds a form of government which is of the people, by the people and for the people. People have the right to elect their own rulers.
5. **Fundamental Rights and Duties:** It has given SIX Fundamental Rights to the citizens. The government cannot take away any of these rights. When these rights are violated, the Judiciary would come to the rescue of the citizens. In addition to the Fundamental Rights, it has stated TEN + ONE Fundamental Duties to be performed by the citizens.
6. **Secularism:** As per the principle of secularism, the government must be impartial towards all the religions followed by its citizens. There shall be no 'State Religion'. At the same time, the government guarantees freedom of faith and worship to all citizens. However, the government has the right to restrict religious freedom when it disturbs public peace, as well as law and order.
7. **Independent and Impartial Judiciary:** Under the democratic system, all citizens are equal before the law. There cannot be different sets of laws for the different groups of people. The judiciary is expected to provide justice to all the sections of the society. Therefore, the Judiciary is given adequate powers. The Supreme Court acts as a guardian of the Constitution in place of the Privy Council.
8. **Universal Adult Franchise:** The system of election of representatives by all the adults of a country is called as Universal Adult Franchise. In India, an adult means one who is above the age of eighteen.
9. **Equal Rights to Women:** Here, both men and women have been given equal rights. The exploitation of women is considered an offence. Both get equal pay for equal work.
10. **Eradication of Untouchability:** It has prohibited the practice of untouchability in the country. The practice is deemed a crime and offenders can be punished.
11. **A Welfare State:** A State which aims at providing social and economic security to all its citizens is known as a Welfare State. Social Security must be provided to the citizens so that they would live a peaceful life. They should have employment and adequate income, food, clothes, shelter and health care. The aged and destitute must get proper protection. It protects the weaker sections from exploitation, and provides equal social, economic and political opportunities to all citizens.
12. It is federal in form but unitary in spirit.
13. It is neither too rigid (as some provisions can be amended by a simple majority) nor flexible (as some provisions require special majority for amendment).
14. The President of the Union is the Constitutional Head, the Council of Ministers or the Union Cabinet is the Real Executive and is responsible to the Lok Sabha.

PREAMBLE

THE REPUBLIC OF INDIA 26TH JANUARY, 1950

We, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC and to secure to all its citizens:

JUSTICE, social, economic and political;

LIBERTY of thought, expression, belief, faith and worship;

EQUALITY of status and of opportunity; and to promote among them all;

FRATERNITY assuring the dignity of the individual and the unity and integrity of the Nation;

IN OUR CONSTITUENT ASSEMBLY this twenty-sixth day of November, 1949, do HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.

The Preamble of Our Constitution

It has great significance / importance that we should try to understand it.

- ▶ The Preamble begins with “We, the People of India” which means that the Constitution derives its authority from the people of India. So the ultimate source of all power is vested in the people. The sovereignty of the nation belongs to the people.
- ▶ Before Independence, we were under the British Rule. The Queen of Britain was the Sovereign Head of the State and we had no power to make law. Now the President is the Head of our State / Nation and the Sovereign power belonging to the State / Nation is vested in our Parliament, which represents the people of India, who are the masters of their own destiny. SOVEREIGN means the independent authority of the State. It means that it has the power to legislate on any subject; and that it is not subject to the control of any other State or External Power. That means, the word ‘Sovereign’ means supreme or independent. India is internally and externally sovereign - externally free from the control of any foreign power and internally, it has a free government which is directly elected by the people and makes laws that govern the people.
- ▶ The word ‘SOCIALIST’ was added to the Preamble by the 42nd Amendment Act of 1976. It implies social and economic equality. Social equality in this context means the absence of discrimination on the grounds of caste, colour, creed, sex, religion, language, etc. Under social equality, everyone has equal status and opportunities. Economic equality means that the government will endeavor to make the distribution of wealth more equal and provide a decent standard of living for all. India has adopted a mixed economy and the government has framed many laws to achieve the aim of socialism, such as the Abolition of Untouchability and Zamindari, The Equal Wages Act and The Child Labour Prohibition Act.
- ▶ The word ‘SECULAR’ was inserted into the preamble by the 42nd Amendment Act of 1976. Ours is Secular, which means that the State has no official religion. Here, all

religions are equal. The freedom to follow any religion is guaranteed by the Constitution. Every person has the right to preach, practice and propagate any religion they choose. The government must not favour or discriminate against any religion. It must treat all religions with equal respect. All citizens, irrespective of their religious beliefs are equal in the eyes of law. No religious instruction is imparted in government or aided schools.

- ▶ India is a DEMOCRACY. The people of India elect their governments at all levels (Union, State and Local) by a system of Universal Adult Franchise. Every citizen of India, who is 18 years of age and above and not otherwise debarred by law, is entitled to vote. Every citizen enjoys this right without any discrimination on the basis of caste, creed, colour, sex, religion or education. Elections are conducted once in FIVE years to elect our representatives or Head of the State (President) and the Executive. The various policies of the State are decided by them.
- ▶ As opposed to a monarchy, in which the Head of the State is appointed on hereditary basis for a lifetime or until he abdicates from the throne, DEMOCRATIC REPUBLIC is an entity in which the Head of the State is elected, directly or indirectly, for a fixed tenure. The President of India is elected by an Electoral College for a term of five years. It means a Government *of* the people, *by* the people and *for* the people (Abraham Lincoln - famous speech at Gettysberg).
- ▶ Our Constitution has upheld Equality. So, there is no scope for inequality based on race, religion, language, sex, etc. practice of Untouchability is prohibited and it a crime.
- ▶ Our Constitution assures freedom to one and all. No one is arrested without the consent of law. All laws are equal and all are equal before law.
- ▶ Our Constitution assures us the Justice: Social, economic and political through various measures of laws; and there is no scope for exploitation of weaker sections of the society or women. *Social justice* means that the state will treat all citizens as equal and will not discriminate between them on the basis of religion, caste, gender, race, status or place of birth. *Economic justice* means that the state will attempt to reduce the economic disparities between rich and the poor and will try to bring about equality in incomes. *Political justice* means that the state assures all people equal opportunities to participate in political activities.
- ▶ Barker calls FRATERNITY as principle of cooperation. It includes a bunch of right to share and enjoy the common resources and services of the Nation, like, education, police, health and other services.

Types of Government

The Preamble lays down the type of government that India has adopted — Sovereign, Socialist, Secular, Democratic, Republic.

- ▶ *Sovereign*: The word 'Sovereign' means supreme or independent. India is internally and externally sovereign — externally free from the control of any foreign power and internally, it has a free government.

- ▶ **Socialist:** The word 'Socialist' was added to the Preamble by the 42nd Amendment Act of 1976. It implies social and economic equality for all its citizens. There will be no discrimination on the basis of caste, colour, creed, sex, religion, language, etc. Everybody will be given equal status and opportunities. The government will make the efforts to reduce the concentration of wealth in a few hands, and provide a decent standard of living to all. India has adopted a mixed economic model, and the government has framed many laws to achieve the goal of socialism, such as Abolition of Untouchability and Zamindari Act, Equal Wages Act and Child Labour Prohibition Act.
- ▶ **Secular:** The word 'Secular' was inserted into the Preamble by the 42nd Amendment Act of 1976. It implies equality of all religions and religious tolerance. India does not have any official State religion. Every person has the right to preach, practice and propagate any religion of their own choice. The government does not favour or discriminate any religion. It treats all religions with equal respect. All citizens, irrespective of their religious beliefs are equal in the eyes of law. No religious instruction is imparted in government or aided schools.
- ▶ **Democratic:** India is a democratic, election from any location, specific seats are allocated for Scheduled Castes and Tribes in Parliament called (reserved constituencies), in local body election a percentage of seats are allocated for women candidates. There is also a proposal to allocate 33% seats in all elections to women candidates, currently there is no consensus in how to implement it and which seats should be allocated. The pillar of Indian Democracy is Election Commission of India; it is one of the most trusted organizations and has been praised by all for conducting free and fair elections.
- ▶ **Republic:** As opposed to a monarchy, in which the Head of State is appointed on hereditary basis for a lifetime, or until he abdicates, a Republic is a State in which the Head of State is elected, directly or indirectly, for a fixed tenure. The President of India is elected by an electoral college for a term of five years.

Purpose of the Preamble

- ▶ It indicates the source from which the Constitution came i.e., THE PEOPLE OF INDIA.
- ▶ It declares the rights and freedom which are assured to all the citizens of the country.

Different Models in the World

India is the biggest democracy in the world. No doubt that we have democratic system of administration for the last over fifty years. Today, there are TWO types of democracies in the world. One is *direct* as in Switzerland; and the other is *indirect* or representative form of government. In *Direct* democracy (City of Athens in Ancient Greece), all the people would assemble at a place and through mutual and direct discussions, decided the policies. In *Indirect* democracy, the formation of government is by the representatives.

India has adopted the British model of Parliamentary form of Government. But, we have no crown as the Head of the State and we have a written Republican Constitution.

Further, both India and United States of America are democratic in their system. But United States of America is having a Presidential form of government, while India is having a Parliamentary form of Government. Also, there are different kinds of democracies. For example, in Pakistan, they have a 'Guided Democracy' which is subjected to military administration. Our next neighbors i.e. Myanmar (Burma) and Sri Lanka also have different type of democracies. Former Soviet Union and the present peoples China have what is called as "People's Democracy", but in practice they are totalitarian. In the next place, we find constitutional monarchies in Japan and England but they are fully democratic.

Basic Structure of the Constitution

1. **Federal Structure:** The Constitution of India is based on a federal structure. That it is to say there exists both State and Central forms of Governments. But though it has federal structure, it is also has some unitary features. That is the Central Government is the Supreme Law making authority in the country.
2. **Supremacy of the Constitution:** All the authorities derive their powers, rights, duties and obligations from the Constitution.
3. **Distribution of Powers:** The distribution of power for running the country effectively has been done on the Principle of 'Doctrine of Separation of Power'. As the wordings are there 'power corrupts and absolute power corrupts absolutely'. The distribution has been done in the following basis:
 - ▶ Legislature – to make / enact the laws
 - ▶ Executive – to implement the laws (constitutes of government machinery like police, public servants, etc.)
 - ▶ Judiciary – to interpret / enforce the laws

Some Concepts of Indian Constitution

- ▶ **Unitary and Federal Structure:** In the Unitary style, all powers are concentrated on the Center. Due to the coordination in the decision making, this type performs better and has higher efficiency. It is best suited for smaller countries and less populous ones like France, etc.
In Federal style, powers are divided between the Central Government and the State Governments. This is best suited for larger countries like India, etc. with great, cultural and ethnic diversity.
- ▶ **Residual Powers:** In the Federal Polity, powers are divided between the Union and State Governments. The powers which are not mentioned in the Constitution are called 'Residual powers'. The Indian Constitution has accorded these powers to the Union Government.
- ▶ **Article 370:** The Princely State of Jammu & Kashmir (J & K) was integrated with the Indian Union under Article 370. It ensures special provisions for J & K which are not the prerogative of the other States.
- ▶ **Election Commission:** In order to conduct free and fair elections, the Constitution provides for independent machinery known as "The Election Commission". To

conduct elections for the Parliament and State Legislatures, of President and Vice President and to keep vigil over the whole process of election is the main function of the Election Commission of India. The Chief Election Commissioner and the member Commissioners are appointed by the President of India. The Chief Election Commissioner can be impeached and then removed from his post only on the grounds of misbehavior or inefficiency.

- ▶ *Public Service Commission:* The Constitution provides for the “Union Public Service Commission” and the “State Public Service Commissions” for recruiting intelligent, responsible, conscientious and honest administrative officers. In short, they should be person of sound character, good social department, integrity as well as merit.
- ▶ *Ordinance:* The Executive (The Ministry) has to face all of a sudden, conditions of calamity or emergency. Under such circumstances, the President at the Center and the Governors at the State level, issues Ordinances. But an Ordinance can remain in force for maximum six weeks from the day of beginning of the session of the Parliament. It is sort of temporary legislation, a make-shift but an absolutely necessary measure to ensure the stability and security of the country.
- ▶ *Constituency:* In order to elect the representatives of people, constituencies have to be properly demarcated. One constituency can return (elect) only one representative. More than one member is elected from majority of the constituencies. In India, candidates are elected by a simple majority. The candidate, who wins the majority of votes, is declared duly elected. A voter casts his vote only for one candidate. Therefore, in India, there are one-member constituencies. Only one candidate is elected from one constituency. Some seats are reserved in the Parliament and State Legislatures for the Scheduled Castes and Tribes. For such reserved constituencies, only the candidates of Scheduled Castes and Tribes are elected.
- ▶ *The Ministry (The Cabinet):* A Cabinet Minister has a top-ranking status. The other sensitive and utterly important ministries such as those of Defence, Human Resources Development, Planning, etc. are divided among various ministries and departments. The Cabinet Minister is entrusted with the functions of special importance. Ministers of State have a second-rank status in the ministry. The Minister of State is given independent charge of one ministry or department. A Deputy Minister assists the Cabinet Minister and the Minister of State as well.
- ▶ *The Principle of Collective Responsibility:* The Ministry functions on the basis of Collective Responsibility. Coordination in the policies is a pre-requisite for the smooth functioning of a Ministry. It is a norm that either a Minister has to fall in line with all the policies of the Ministry or is free to resign from the Ministry. If a Minister had committed a serious blunder in the discharge of the duties and in the implementation of the policies, he / she has to perforce to accept full responsibility and has to tender the resignation with immediate effect.
- ▶ *Privileges of the Member of Parliament:* Special privileges have been conferred on the members of Parliament so as to enable them to discharge their duties without any hindrance. They enjoy the immunity from arrest when Parliament is in session. They cannot be arrested 40 days before or after the session of the Parliament. But

this immunity is restricted to civil cases only. They enjoy no immunity against criminal offence or prohibitive law arrest. But, in case, any Member of Parliament is arrested, this arrest and the nature of the offence committed must be immediately reported to the Speaker of the Lok Sabha or the Chairman of Rajya Sabha as the case may be. Besides, without obtaining prior permission of the Speaker of the Lok Sabha, they cannot be arrested.

- ▶ *The Constitutional Bill:* It can originate in any House of the Parliament.
- ▶ *Adjournment Motion:* The proceedings of the House go according to the agenda. If a subject that is not on the agenda but it is of urgent public interest, then with the permission of the Speaker that subject is taken up for the immediate discussion.
- ▶ *Attention Motion:* There are rules on the functioning of the House. Honorable members with prior permission from the Speaker or President can set an attention motion to draw the attention of the concerned Minister. This motion is called Attention Motion.
- ▶ *Motion of Censure:* It is a resolution passed by a simple majority to censure the government, its unsuccessful policies, or misbehavior of a Minister of any member of the House. In parliamentary democracy, if such resolution is passed against the government or Minister, it is taken as the passing of a no confidence motion against the government.

Schedules

Schedules can be added to the Constitution by Amendment. The *12 Schedules* in force covers: The Designations of the States and Union Territories; Emoluments for high-level Officials; Forms of Oaths / Affirmations; Allocation of the number of seats in the Rajya Sabha (Council of States – the Upper House of the Parliament) per State or Union Territory; Provisions for the Administration and control of Scheduled Areas and Scheduled Tribes (areas and tribes needing special Protection due to disadvantageous conditions); Provisions for the Administration of tribal areas in Assam; The Union (Central) Government, State, and Concurrent (dual) Lists of Responsibilities; The Official Languages; Land and Tenure reforms; The Association of Sikkim with India; Anti-defection Provisions for Members of Parliament and Members of the State Legislatures; Rural Development; and Urban Planning.

Amendment of the Constitution

Nothing may remain static in the world. Nature demands change. A political society undergoes changes with the passage of time. To face new problems and challenges changes and modifications are called for in all aspects of national life. Just as the education system gets a new look, the industrial policy changes to serve the needs of the society, changes are required to be made in the laws and in the Constitution.

Our Constitution is a written Constitution which is federal in character. Some parts of it can be amended by simple legislation while other parts are less flexible and require special majority. Some parts of the Constitution may be amended with the consent of the States.

Amending Process: It may be of two types –

- ▶ ***The Imperceptible or Informal Process:*** This process is for changing the Constitution as a limited role for supplementing the Constitution. Such changes can be effected by –

- The Courts by interpretation – Changes brought by judicial interpretation give a new or altered meaning without changing the text of the Constitution. The language of the Constitution remains the same but in view of the prevailing circumstances and needs of the society, the Courts give a new import to the words. Judicial interpretation is a very slow process.
 - Changes in conventions and constitutional changes – Conventions may sometime make a provision of the Constitution ineffective. A convention operates within the framework of the Constitution yet it effects and modifies it. The relation of the President with his / her Council of Ministers, exercise of veto by the President, assent to Bills by the President or the Governor, acceptance of the recommendations of the Finance Commission and Union Public Service Commission, the role of the Planning Commission are all governed and guided by conventions.
 - Legislation – by filling gaps or supplementing the Constitution.
- ▶ **The Perceptible or Formal Process:** Every Constitution contains a description of the manner in which it may be changed. This involves changing the text of the Constitution to make it reflect the new meanings required by the changes in the society or for development of the nation. The formal process is visible. It is announced and overt process of change. It is the most accepted way of adapting the Constitution to face new developments. Our Constitution attaches different degrees of rigidity to different provisions of the Constitution. Such provisions are of three types –
- By simple majority of the Parliament: Here, Amendments can be made by a simple majority of members present and voting, before it sending it for the President's assent.
 - By special majority of the Parliament: Here, Amendments can be made by a two-third majority of the total number of members present and voting which should not be less than the majority of the total membership of the House.
 - By special majority of the Parliament and ratification of at least half of the State Legislatures by special majority. After this, it is sent to the President for his assent.

An Amendment to the Constitution is taken very seriously, and needs at least two-thirds of the Lok Sabha and Rajya Sabha to pass it. Thus, the Constitution of India is one of most frequently amended Constitutions in the World.

The Amending Procedure: Article 368 contains the procedure to be followed to amend the Constitution. The following is the procedure:

- ▶ The Amendment is initiated by introducing a Bill for the purpose
- ▶ The Bill may be introduced in either House of Parliament (A Money Bill or a Financial Bill may be introduced only in the Lok Sabha)
- ▶ The Bill must be passed by each House by special majority (2/3rd present and voting and more than 50% of the total membership)

- ▶ In case of entrenched (unamendable) provisions, the Bill must be ratified by not less than one half of the State Legislatures
- ▶ After being duly passed and ratified, where so required, the Bill is presented to the President
- ▶ The President is bound to give assent to it (in case of an Ordinary Bill, the President may send the Bill for reconsideration or withhold the assent)
- ▶ In case of disagreement between the Houses there is no provision for joint sitting. It must be passed by each House sitting separately.
- ▶ The Bill does not require previous sanction of the President before introduction.

Basic Principles of the Constitution of India

If the division of power is the basis of civilized government, a Constitution is the best device by which such division could be facilitated. Constitutionalism is an achievement of a modern world. But it is a comparatively recent achievement. As such, it has not become fully stabilized. The oldest written Constitution of the world is that of the United States of America which is only a little over two hundred years old. Every Constitution however aims at building up a governmental structure based upon certain principles. A careful study of the Constitution will show that there are at least eight basic principles which are embodied in it and which form the foundation of the Political System in India. These are: *Popular Sovereignty; Socialism; Secularism; Fundamental Rights; Directive Principles of State Policy; Judicial Independence; Federalism; and Cabinet Government.*

- ▶ **Popular Sovereignty:** The Constitution proclaims the sovereignty of the people in its Preamble. Article 326 declares that 'the election to the House of People and to the Legislative Assembly of every State shall be on the basis of adult suffrage'. As a result, the Government at the Center and in the States derives their authority from the people who choose their representatives for Parliament and the State Legislatures at regular intervals. This is the principle of popular sovereignty. In fact, the voter ensures the democratic ideal of "one man, one vote, one value", irrespective of his wealth, education, social status and importance.
- ▶ **Socialism:** Increasing intervention as well as participation by the State in the economic field has been a distinguishing feature of the twentieth century. There is hardly any country today in which the State is not actively engaged in a variety of economic activities. In varying degrees, governments everywhere are involved in economic, industrial and commercial management. This is broadly described as the influence of socialist ideas on the State activity. The 42nd Amendment (1976) went a step further and amended the Preamble of the Constitution to include specifically the term 'socialist' which was absent in the original form in which it was enacted.
- ▶ **Secularism:** The Constitution aims to establish a secular State. And a secular State means in essence that the State will not make any discrimination whatsoever on the ground of religion or community against any person professing any particular form of religious faith. No particular religion in the State will be identified as State religion nor will it receive any State patronage of preferential status. The State will not establish any State religion; nor will the State accord any preferential treatment to

any citizen or discriminate against him simply on the ground that he professes a particular form of religion.

- ▶ **Fundamental Rights:** The Constitution affirms the basic principle that every individual is entitled to enjoy certain rights as a human being and the enjoyment of such rights does not depend upon the will of any majority and minority. No majority has the right to abrogate such rights. In fact, the legitimacy of the majority to rule is derived from the existence of these rights. These rights include all the basic liberties such as freedom of speech, movement and association, equality before law and equal protection of laws, freedom of religious belief, and cultural and educational freedoms.
- ▶ **Directive Principles:** These are assurances to the people as to what they can expect from the State and, on the other, are directives to the Central and State Governments, to establish and maintain a new, “social order in which justice, social, economic and political, shall inform all the institutions of national life”. The State shall in particular, direct its policy towards securing (a) that the citizens, men and women equally, have the right to an adequate means of livelihood; (b) that the ownership and control of the material resources of the community are so distributed as best to sub-serve the common good; (c) that the operation of the economic system, does not result in the concentration of wealth and the means of production to the common detriment; (d) that there is equal pay for equal work for both men and women; (e) that the health and strength of workers, men and women; and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength; (f) that childhood and youth are protected against exploitation and against moral and material abandonment.
- ▶ **Judicial Independence:** The judicial function is indeed a delicate and difficult one. It involves the process of deciding what is just in a controversy between two or more contending parties. If the parties have no confidence in the impartiality of the judiciary, justice becomes an empty word. Man’s long struggle has been to live under a government of laws, not of men. Equal justice under law has for long been his cherished ideal, a system under which the same law is applicable to all alike. In fact, the judicial process ceases to be judicial the moment those who seek to judge cease to be independent of every form of external influence, hence the importance of judicial independence.
- ▶ **Federalism:** It is one of the most important aspects of modern constitutionalism. It is established all over the world perhaps, as the only form of political organization suited to communities with a diversified pattern of objectives, interests, and traditions, who seek to join together in the pursuit of common objectives and interests and the cultivation of common traditions. The basic objective of federalism is thus unity in diversity, devolution in authority and decentralization in administration. Its fundamental characteristic is the division of powers between the two sets of governments – a Central and State or Local governments – each independent of the other in its own sphere of activity. The framers of the Constitution turned to federalism as a solution of a number of problems they confronted in their attempt to frame a Constitution for new, united India. Particularly, they wanted to preserve both the “infinite variety and the innate unity” that animated the length and breadth of India.

The choice of federalism as a constitutional form and as the basis of a national government in India was not sudden development upon the transfer of power on 15th August, 1947. It was there for many years and, in a limited form, it was already in operation in British India. For the solution of the constitutional problem of a multi-racial, multi-lingual and multi-communal country in India with a vast area and a huge population, federalism was only a natural choice. Nevertheless, the framers were cautious to ensure that the unity they sought to establish through federalism was of an abiding nature, and in the case of future conflict between that unity and the diversity preserved under the Constitution, the former should prevail over the latter. In other words, it was their intention to create an indestructible Union and the supremacy of the Union over the States in a number of matters vitally affecting the interests of the nation.

- ▶ **Cabinet Government:** The most distinctive characteristic of a Cabinet system of Government is the complete and continuous responsibility of the Executive to the Legislature. The Cabinet is composed of the Prime Minister who is Chief of the Executive, and his senior colleagues who share the responsibility with him for the formulation and execution of the policies of the government. The Cabinet is the central shaft to which all the other agencies of government are geared. Individual members of the Cabinet are the Heads of the different departments of the administration. Collectively, the Cabinet shapes the programme of legislation which is submitted to the Parliament and from it emanates the broad and general policies. The Parliament also checks and controls the performance of the administration. Thus, the Cabinet system facilitates the intimate cooperation between the Executive and the Legislature, the representative of the people.

Under the Cabinet system, the Head of the State occupies a position of great dignity, but practically all authority, nominally vested in him, is exercised by the Cabinet or Ministry which assumes full responsibility for acts performed in his name. The unity and collective responsibility of the Cabinet are achieved through the Prime Minister, who is the keystone of the Cabinet arch. His colleagues in the Cabinet are appointed on his recommendation and they always go out of office along with him. Thus he is central both to the formation and dissolution of the Cabinet.

In India, the Cabinet system of Government under the Constitution is established not only at the Central level, but also in the States. In every State, there is a Council of Ministers headed by a Chief Minister, just like the Prime Minister who heads the Central Cabinet.

Overview of Constitutional Developments (or) Indian Freedom Movement (1857 to 1947)

- ▶ **1857-58:** First War of Indian Independence / The Government of India Act, 1858 (Ended the rule of the East India Company in India and provided for the governance of India under the direct rule of British).
- ▶ **1858:** British Crown takes over the Indian Government - Queen Victoria's Proclamation.

- ▶ **1861:** Indian Councils Act - Indian High Courts Act - Indian Penal Code.
- ▶ **1877:** Delhi Durbar - The Queen of England proclaimed Empress of India.
- ▶ **1878:** Vernacular Press Act.
- ▶ **1881:** Factory Act - Rendition of Mysore - Mysore State restored to its original ruler.
- ▶ **1885:** Indian National Congress - First Meeting.
- ▶ **1892:** Indian Council Act to regulate Indian Administration.
- ▶ **1899:** Lord Curzon becomes Governor and Viceroy.
- ▶ **1905:** First Partition of Bengal.
- ▶ **1906:** Formation of the Muslim League.
- ▶ **1908:** Newspapers Act.
- ▶ **1909:** Minto-Morley Reforms / Indian Councils Act of 1909 (Introducing the representatives and popular government through elections).
- ▶ **1911:** King George V & Queen Mary hold Durbar in Delhi. Partition of Bengal annulled to create the Presidency of Bengal. The Imperial Capital shifted from Calcutta to Delhi.
- ▶ **1914:** The First World War begins.
- ▶ **1915:** The Defence of India Act.
- ▶ **1916:** Congress had entered into Pact with Muslim League (called the Lucknow Pact).
- ▶ **1917:** Annie Besant becomes President of Indian National Congress.
- ▶ **1918:** World War I ends.
- ▶ **1919:** Rowlatt Act intended to perpetuate extraordinary powers enjoyed by Government during the war provokes country-wide protests. The massacre at Jalianwallabagh. Ali brothers & Maulana Abdul Kalam Azad start Khilafat Movement (for restoring the Turkish Khalifate) with Gandhiji's support. Perfect Hindu-Muslim Accord. Montague-Chelmsford Reforms offer limited Provincial autonomy to the Indians and The Enactment of the Government of India Act, 1919 (Increasing association of Indians in every branch of the administration and the gradual development of self-governing institutions for the progressive realization of responsible government in British India).
- ▶ **1920:** Congress okays Non-Cooperation Movement and Khilafat Movement. Students leave colleges, lawyers leave practice. Bonfire of British clothes, etc. to show popular dissatisfaction with the Reforms.
- ▶ **1921:** Moplah (Muslim) rebellion in Malabar. Visit of the Prince of Wales.
- ▶ **1922:** Civil Disobedience Movement. Congress makes Gandhiji a sole leader of Bardoli Satyagraha. Outburst of violence at Chauri Chaura leading to suspension of the Movement by Gandhiji.
- ▶ **1923:** Swarajya Party started by C. R. Das and Motilal Nehru. Swarajists propose to enter the Councils and wreck the government from within. Khilafat Movement fizzles out as Kemal Pasha declares Turkey a secular state. Hindu-Muslim riots.

- ▶ **1925:** Death of C. R. Das.
- ▶ **1926:** Lord Reading expounds to the Nizam what paramountcy implies. Royal Commission on Agriculture. Factories Act.
- ▶ **1927:** Indian Navy Act. Simon Commission appointed.
- ▶ **1928:** Simon Commission comes to India. Boycott by all parties. All parties' Conference. Muslim leaders leave the Conference.
- ▶ **1929:** Lord Irwin, Viceroy of India, promises Dominion Status for India. Lahore Session of the Congress asks for Independence. On the midnight of 31st December, Pandit Jawaharlal Nehru, President of the Congress, hoists the National Flag at Lahore.
- ▶ **1930:** 26th January observed as Independence Day all over India. Civil Disobedience Movement continues. Gandhiji goes walking from Sabarmati Ashram to Dandi, a Salt Satyagraha (On 12th March – 241 mile foot march with 79 followers). Repression let loose by the government. First Round Table Conference. Sir John Simon Commission's / Statutory Commission's Report published.
- ▶ **1931:** Gandhi-Irwin Pact. Second Round Table Conference.
- ▶ **1932:** Suppression of Congress Movement. Third Round Table Conference. The Communal Award. Poona Pact.
- ▶ **1933:** White Papers on Indian reforms.
- ▶ **1934:** Civil Disobedience Movement called-off.
- ▶ **1935:** Government of India Act.
- ▶ **1936:** Death of King George V. Accession and Abdication of Edward VIII. Accession of George VI.
- ▶ **1937:** Inauguration of Provincial Autonomy. Congress Ministers formed in a majority of the Provinces.
- ▶ **1938:** Resignation of Congress Ministers. Political deadlock in India.
- ▶ **1939:** Beginning of World War II.
- ▶ **1942:** Sir Stafford Cripps Mission to India. Both Congress and Muslim League refuse Cripps offer. Congress adopts Quit India Resolution (08th August). It gave slogan '*Do or Die*'. Congress Leaders arrested and Congress declared as Illegal body (9th August). Netaji Subhash Chandra Bose forms the Indian National Army (INA) in Malaya, with the help of Japanese. He inaugurates the Government of Free India at Singapore.
- ▶ **1943:** Bengal famine; Lord Wavell, the Viceroy & Governor General of India. Wavell's proposals for a settlement fall through as Congress & Muslim League could not agree.
- ▶ **1945:** The Indian National Army under Bose surrenders to the British after collapse of Japan. National Army personnel tried for treason in India.
- ▶ **1946:** Demonstrations against the trial of the INA men. The ratings of the Royal Indian Navy rise in open mutiny (18th February). Cabinet Mission in India (19th February). Cabinet mission announces its plans for an Interim Government and a Constituent Assembly. The Interim Government is to be formed by reconstituting Viceroy's Executive Council. Both Congress and Muslim League reject the proposal.

Later the Congress accepts it. So the Interim Government is formed by inducting Congress nominees only. The Muslim League takes umbrage and starts direct action. Muslims attacks Hindus in Calcutta and the rest of the Bengal. Hindus retaliate. Riots breakout. Viceroy persuades the Muslim League to come in. But the League declines to join the Constituent Assembly unless the demand for a separate State - Pakistan - is conceded.

- ▶ **1947:** All India congress committee accepts partition of India by a majority vote of 99 in favor and 52 against the resolution (6th January). The British Prime Minister Clement Attlee announces in the House of Commons that the British would leave India by a date not later than June, 1948 (20th February). Lord Louis Mountbatten declares the British decision on partition (2nd June). Indian Leaders accept Lord Mountbatten's decision on partition (3rd June). India is divided and Pakistan is created with full independence (14th August). India is declared independent of British Rule with New Delhi as Capital, Jawaharlal Nehru is sworn in the first Prime Minister by Lord Mountbatten, the Governor General of India (15th August).

Principles of Democracy

(1) Principle of Liberty; (2) Equality; (3) Public Welfare; (4) Rule by the people; (5) Government by majority; (6) Public criticism of Government; (7) Democracy as a way of Life; (8) Recognizing Human Dignity and Universal Brotherhood; (9) Tolerance; (10) Common way of Life; (11) Social Justice; (12) Opportunity for Individual Development; (13) Constitutional Rule; (14) Decentralization of Power; (15) Separation of Powers; (16) Legislature representing the Public Opinion; (17) Existence of Political parties; and (18) Election by Adult Franchise.

Values of Democracy

(1) Administration is in the hands of the people; (2) Adult Franchise system enables good government; (3) There is no scope for domination of any race, religion or language because all are equal ; (4) Legislatures are constituted by the elected representatives and people are obedient to the decisions taken by them; (5) Liberty, Fearlessness and Regular elections gives power in the hands of the people; (6) Independence of Judiciary protects the rights of the citizens; (7) The Fundamental Rights provide opportunity for the progress of the individual; (8) All decisions are taken through discussions in a peaceful way; (9) Decisions are taken after ascertaining public opinion; and (10) Constitution, Legislature and Judiciary check the abuse of power.

Defects of Democracy

(1) Many times people demand certain things which are beyond the ability of the government to fulfill and thus weaken the government; (2) A majority party can at times become dictatorial; (3) The competition among the political parties for power is another weakness; (4) Defections from political parties is another weakness and creates instability; (5) Muscle power, money, caste and other factors play their role during elections and cause damage to democracy; and (6) It is possible that anti-social elements manage to come to power.

Governor Generals of India

Sl. No.	Name of the Governor General	Tenure
01.	Lord William Bentick	1833 – 1835
02.	Sir Charles Matcalf	1835 – 1836
03.	Lord Auckland	1836 – 1842
04.	Lord Ellan	1842 – 1844
05.	Lord Hardinge	1844 – 1848
06.	Lord Dalhousie	1848 – 1856
07.	Lord Canning	1856 – 1858

Viceroy of India

Sl. No.	Name of the Viceroy	Tenure
01.	Lord Canning	1858 – 1862
02.	Lord Elgin	1862 – 1863
03.	Sir John Lawrence	1864 – 1869
04.	Lord Mayo	1869 – 1872
05.	Lord North Brook	1872 – 1876
06.	Lord Lytton	1876 – 1880
07.	Lord Rippon	1880 – 1884
08.	Lord Dufferen	1884 – 1888
09.	Lord Lansdowne	1888 – 1894
10.	Lord Elgin II	1894 – 1899
11.	Lord Curzon	1899 – 1905
12.	Lord Minto II	1905 – 1910
13.	Lord Hardinge	1910 – 1916
14.	Lord Chemsford	1916 – 1921
15.	Lord Reading	1921 – 1926
16.	Lord Irwin	1926 – 1931
17.	Lord Wellington	1931 – 1936
18.	Lord Linlithgao	1936 – 1944
19.	Lord Wavell	1944 – 1947
20.	Lord Mountbatten	1947 – 1948

State-wise Membership of the Constituent Assembly (As on 31st December, 1947)**PROVINCES = 229**

Sl. No.	Province's Name	No. of Members
01.	Madras	49
02.	Bombay	21
03.	West Bengal	19
04.	United Provinces	55
05.	East Punjab	12
06.	Bihar	36
07.	C.P. and Berar	17
08.	Assam	8
09.	Orissa	9
10.	Delhi	1
11.	Ajmer-Merwara	1
12.	Coorg	1

INDIAN STATES = 70

Sl. No.	State's Name	No. of Members
01.	Alwar	1
02.	Baroda	3
03.	Bhopal	1
04.	Bikaner	1
05.	Cochin	1
06.	Gwalior	4
07.	Indore	1
08.	Jaipur	3
09.	Jodhpur	2
10.	Kolhapur	1
11.	Kotah	1
12.	Mayurbhanj	1
13.	Mysore	7
14.	Patiala	2
15.	Rewa	2
16.	Travancore	6
17.	Udaipur	2

Contd....

18.	Sikkim and Cooch Behar Group	1
19.	Tripura, Manipur and Khasi States Group	1
20.	UP States Group	1
21.	Eastern Rajputana States Group	3
22.	Central India States Group (Including Bundelkhand and Malwa)	3
23.	Western India States Group	4
24.	Gujarat States Group	2
25.	Deccan and Madras States Group	2
26.	Punjab States Group – I	3
27.	Eastern States Group – I	4
28.	Eastern States Group – II	3
29.	Residuary States Group	4

NOTE: Total Membership = Provinces + States = 229 + 70 = 299

Sessions of the Constituent Assembly

First Session	09th – 23rd December, 1946
Second Session	20th – 25th January, 1947
Third Session	28th April – 02nd May, 1947
Fourth Session	14th – 31st July, 1947
Fifth Session	14th – 30th August, 1947
Sixth Session	27th January, 1948
Seventh Session	04th November, 1948 – 08th January, 1949
Eighth Session	16th May – 16th June, 1949
Ninth Session	30th July – 18th September, 1949
Tenth Session	06th – 17th October, 1949
Eleventh Session	14th – 26th November, 1949

The Assembly met once again on 24th January, 1950, when the members appended their signatures to the Constitution of India

Important Committees' with Chairman of the Constituent Assembly

- ▶ *Union Powers Committee:* Pt. Jawaharlal Nehru
- ▶ *Committee on Union Constitution:* Pt. Jawaharlal Nehru
- ▶ *States Committee:* Pt. Jawaharlal Nehru
- ▶ *Drafting Committee:* Dr. B. R. Ambedkar
- ▶ *Committee on Fundamental Rights, Minorities and Tribal :* Sardar Vallabhai Patel
- ▶ *Fundamental Rights Sub-Committee:* J. B. Kripalani

- ▶ *Minorities Sub-Committee:* H. C. Mookherjee
- ▶ *Steering Committee:* Dr. Rajendra Prasad
- ▶ *Provincial Constitution Committee:* Sardar Vallabhai Patel
- ▶ *Committee on the Rules of Procedures:* Dr. Rajendra Prasad
- ▶ *Finance and Staff Committee:* Dr. Rajendra Prasad
- ▶ *Ad hoc Committee on the National Flag:* Dr. Rajendra Prasad
- ▶ *Credential Committee:* Alladi Krishnaswami Ayyar
- ▶ *House Committee:* B. Pattabhi Sitaramayya
- ▶ *Order of Business Committee:* K. M. Munshi
- ▶ *Committee on the Functions of the Constituent Assembly:* G. V. Mavalankar
- ▶ *North-East Frontier Tribal Areas and Assam excluded Sub-Committee:* Gopinath Bardoloi

The Draft was prepared by Sir B. N. Rau, Advisor to the Constituent Assembly. A 7-member Committee chaired by Sir Krishnaswamy Iyer was set up to examine the draft. Dr. B. R. Ambedkar who was the Minister for Law from 15th August, 1947 to 26th January, 1950 piloted the Draft Constitution in the Assembly.

Short Questions

1. Explain Indian Constitution.
2. Discuss on Indian Independence Act, 1947.
3. How the Indian Constitution has been framed?
4. Write short notes on Nehru's 'Objective Resolution'.
5. Describe the Basic Structure of the Indian Constitution.

Long Questions

1. Briefly explain the Partition and Indian Independence.
2. Briefly discuss the main Provisions of Indian Independence Act, 1947.
3. Discuss the Draft Constitution submitted by the Drafting Committee.
4. Write the Salient Features of Indian Constitution.
5. Briefly explain the Preamble of Indian Constitution.
6. Explain the process of Amendment in our Constitution.
7. Briefly discuss the Basic Principles of Indian Constitution.
8. Write briefly the Constitutional Developments.

II

UNIT

POWER AND FUNCTION OF DIFFERENT ORGANS OF STATE AND UNION GOVERNMENT

**The Democratic Institutions created by the Constitution – Bicameral system of
Legislature and Cabinet form of Government at the Center and States – Role and
Position of the President and the Prime Minister – Adult Franchise System – Election
Commission – Panchayat Raj System**

In India, there are 28 States and six Centrally-administered Territories and Delhi is under Capital Administration*. All these States form the Union of India. The States have no power to secede from the Union. As indicated by the Constitution, there is a government at the Center and at the State level and they carry on administration according to the division of powers. Any act of government which goes against the Constitution is declared *ultra vires* (beyond powers) by the Supreme Court of India.

(* 28 States: Andhra Pradesh, Assam, Bihar, Gujarat, Kerala, Madhya Pradesh, Tamil Nadu, Maharashtra, Karnataka, Orissa, Punjab, Rajasthan, Uttar Pradesh, West Bengal, Jammu & Kashmir, Nagaland, Haryana, Himachal Pradesh, Manipur, Tripura, Meghalaya, Sikkim, Mizoram, Arunachal Pradesh, Goa, Uttaranchal, Chattisgarh and Jharkhand AND

* 7 Union Territories: Chandigarh, Delhi, Andaman & Nicobar Islands, Lakshadweep, Dadra & Nagar Haveli, Diu & Daman and Pondicherry)

Relationship between the Center and the States

Today, in a written Constitution, there are TWO kinds: one is *unitary type*, where there is only one government to the entire nation (Examples are England, France, etc.). The other one is *federal type*, where the powers of the nation are divided between the Center and States (Examples are India, USA, Switzerland, etc.). The Constitution has distributed the powers into THREE Lists:

- ▶ *Central / Union List:* There are 97 subjects like Defence, Foreign Affairs, Finance, Railways, Broadcasting, Civil Aviation, Meteorology, Monuments, Post & Telegraph, Telephone, Wireless, Prisons, Roads, War and Peace, Currency and Coinage, Reserve Bank of India, Trade Alliances, Insurance, Armed forces, Arms & Ammunition, Atomic Energy, Diplomatic Representation, United Nations, Treaties, Citizenship, Extradition, Shipping & Navigation, Legal Tender, Foreign Loans, Inter-State Trade & Commerce, Incorporation & its Regulation, Banking, Bills of Exchange, Stock Exchange, Patents, Establishment of Standards in Weights & Measures, Control of Industries, Regulation and Development of Mines, Minerals & Oil Resources, Maintenance of National Museums, Libraries & such other Institutions, Historical Monuments, Survey of India, Union Public Services, Elections, Parliamentary privileges, Audit of Government Accounts, Constitution & Organization of the Supreme Court, High Courts and Union Public Service Commission, Income Tax, Custom & Export Duties, Duties of Excise, Corporation Tax, Estate Duty, Sales Tax, Purchase of Newspapers, etc. In these matters, the Center can make laws.
- ▶ *State List:* There are 66 subjects like Police, Jail, Forests, Land Revenue, Agriculture, Law Courts, Cattle & Health, Hospitals, Fisheries, Irrigation, Trade Unions, Labor Welfare, Public Order, Local Government, Cooperative Society, Betting and Gambling, Theatres, Estate Duty, Duties of Excise, Administration of Justice, Public Health & Sanitation, Intoxicating Liquors, Burial & Burial Grounds, Libraries & Museums controlled by the State, Inter-State Communications, Water Supplies, Land Rights, Fisheries, Trade & Commerce within the State, Gas & Gas Works, Markets & Fairs, Money Lending, Local Elections, Legislative Privileges, Salaries & Allowances of all State Officers, State Public Services and the State Public Service Commission, Land Revenue, Taxes on Agricultural Income, Taxes on Lands & Buildings, Estate Duty & Succession Duty on Agricultural Land, Excise Duties on Alcoholic Liquors, Opium, etc. produced within the State, Taxes on Electricity, Taxes on Sale and Purchase of Goods other than Newspapers, Taxes on Goods and Passengers carried by Road or Inland Waterways, Taxes on Vehicles, Professional Tax, Capitation Taxes, Taxes on Luxury, etc. Here, the State can make the laws.
- ▶ *Concurrent List:* There are 47 subjects like Criminal Laws, Civil Procedure, Education, Electricity, Industries / Factories, Power, Joint Family, Marriage and Divorce, Medical Service, Press, Religion Monuments, Administration of Justice, Weights and Measures, Economic and Social Planning, Registration of Births and Deaths, News Papers, Books, Printing, Price Control and Adulteration of Materials, State Security, Transfer of Property other than Agricultural land, Contracts, Bankruptcy and Insolvency, Trust & Trustees, Civil Procedure, Contempt of Court, Vagrancy, Drugs & Poisons, Labour Welfare, Commercial & Industrial Monopolies, Trade Unions, Social Security, Vital Statistics, Trade & Commerce, Stamp Duties, etc. Here, the Center and State have the powers of making laws.

However, the administration of the centrally administered Territories is carried by the President. In 1993, Delhi was given the status as a state and the administration was assigned to the Legislature. It has a special status under Central supervision. In case of Emergency,

the Center suspends many rights and assumes many special powers. Taking into consideration of unity and security of the nation, the founding fathers of our Constitution have given more powers to the Center. Hence our Constitution is more *unitary*, that *federal* in its nature. It is rightly termed as *quasi-federal* by some writers. The Indian Parliament has power to create new states and in the recent past three states of Chhattisgarh, Uttaranchal and Jharkhand are created.

Ultra vires: It is the lack of power. It refers to incompetency. If a State legislated on a subject in the Union list, the resultant Act would be ultra vires and consequently void. Repugnancy refers to inconsistency. If the law made by a State belonging to the Concurrent List is inconsistent with a Union law then the question of repugnancy comes. The whole of the law is not void. It is void only to the extent of repugnancy.

THE UNION / CENTRAL GOVERNMENT

It has THREE organs. They are:

- ▶ Legislature: This organ makes the laws
- ▶ Executive: The laws made by the Legislature are implemented by this organ
- ▶ Judiciary: This organ decides cases according to the laws

A. Union Legislature

It is also called as *Parliament*. The Parliament of India consists of the President of India and the two Houses, namely, *Rajya Sabha (Upper House / House of States / RS)* and *Lok Sabha (Lower House / House of People / LS)*. The sessions of the Parliament are held in the Parliament House at New Delhi. Here, the Members of the Parliament make laws which are applicable to the whole of India. Though the President of the Republic is not a Member of the Parliament, he is an indivisible part of the Parliament. Both the Houses of Parliament must meet at least twice a year. The Members of the Rajya Sabha and Lok Sabha are called Members of the Parliament. They enjoy freedom of speech and expression in the Parliament and the opinions expressed by them cannot be questioned in a Court of Law.

Powers and Functions of the Parliament

- ▶ *Legislative:* The main function of the Parliament is to make laws. It can also amend or revoke (withdraw) existing laws.
- ▶ *Financial:* The Finance Bill must be presented and discussed first in the Lok Sabha. After being passed by the Lok Sabha, the Bill goes to the Rajya Sabha for approval. Thereafter, it is sent to the President of India for assent. Also, the Union Government cannot collect taxes and money without the approval of the Parliament. Hence, the Parliament has full control over the financial matters of the country.
- ▶ *Administrative:* The questions put by the Members must be answered by the concerned Ministers. The Members are expected to keep a watch over the functioning of various Departments. They can point out the lapses and misuse of powers on the part of the Ministers.

- ▶ *Constitutional:* The Parliament has power to amend or change some Articles of the Constitution.
- ▶ *Other Powers:* The Members of the Parliament and the Members of the Legislative Assemblies of all States elect the President of India. However, the Vice President of India is elected by the Members of the Parliament.

Sessions of Parliament

Under the Article 85, the President has the power to summon and prorogue either House of Parliament from time to time and to dissolve the Lok Sabha. The interval between the two sessions must not exceed six months. There are generally three sessions in a year.

- ▶ *The Budget Session:* It commences in the 3rd week of February. This being the first session of the year it commences with the address by the president on the first day to both the Houses assembled together. A few days later, the Railway Budget is presented. On the last day of the month, the General Budget is presented. The time for the presentation used to be 5 p.m. but from the year 2001, it has been changed to 11 a.m. after the presentation of the Budget, the Houses pass a motion of thank to the President for his / her address. After that the Railway Budget and then the demand for grants are taken. The Finance Bill which gives effect to the Budget proposals and the relevant Appropriation Bills are passed. As most of the time, an attention is devoted to the Budget; this session is called the Budget Session.
- ▶ *The Monsoon Session:* It begins usually in the 3rd week of July. It is the rainy season for us connected with the arrival of the monsoon, which gives the session its name. The session is mostly devoted to legislative business.
- ▶ *The Winter Session:* It starts in early November and ends in the 3rd week of December. Apart from the usual questions, calling attention and other motions, the major portion of time is set aside for legislative work.

Adjournment: It is the suspension of work in a sitting announced by the Presiding Officer. It may range from a few minutes to days together. When there is grave disorder, the Presiding Officer sometimes adjourns the House or suspends a sitting for a time to be named by him / her. In the course of the day he / she announces that the House adjourns for lunch to assemble again at the fixed hour. At the end of the day, the Presiding Officer adjourns the House to assemble on the next working day at fixed hour.

Adjournment sine die: Here, when the Presiding Officer adjourns the House without fixing and time or any date for the next meeting. *Sine die* means without setting a day for the next meeting. Usually on the last day of the session the House is adjourned *sine die*.

Prorogation: A House is prorogued by the President. He / she does so on the advice of the council of Ministers. It is generally done after the House is adjourned *sine die* but there is no bar to the President proroguing the House which is in session. Prorogation brings the session to an end.

Dissolution: It is in the power of the President who, save in exceptional circumstances, does so on the advice of the Council of Ministers. Rajya Sabha being a permanent chamber cannot

be dissolved. Only the Lok Sabha is subject to dissolution. It ends the life of Lok Sabha. New Lok Sabha takes its place after the general elections are held.

Session: It is a period of time commencing on the day the first meeting of the House is held and ending on the day it is prorogued or dissolved.

Recess: It is the period spanning between the prorogation of a House and its assembly in a new session.

Meeting: It is generally divided into *two sittings* – from morning till lunch and post lunch till adjournment. In each sitting, the time may be allotted for particular business. This is done on the advice of the Business Advisory Committee. In the morning when Lok Sabha or Rajya Sabha assembles at 11.00 a.m., the first one hour is devoted to answering questions. This is called *Question Hour*. The next one hour is observed as *Zero Hour* where discussions, resolutions, government business, etc can be discussed without priority (i.e. 12.00 to 1.00 pm).

RAJYA SABHA

The maximum number of seats / members in Rajya Sabha is 250. The Members are not directly elected by the citizens of the country. The Members of the State Assemblies elect 238 Members and the remaining 12 Members are nominated by the President of India (12 Members are chosen from among the stalwarts in the field of Science, Arts, Commerce, etc. on the basis of merit of their service). It is a permanent body. Once in two years, one-third of its Members retire and elections are conducted for these vacancies. The term of a membership is six years. To become a Member, one should be a citizen of India and must not be less than 30 years of age.

The Vice President of India is the Chairman and he / she conducts all the proceedings of the Rajya Sabha. Also, the Members of the Rajya Sabha elect one among them as the Deputy Chairman.

LOK SABHA

The maximum number of seats / members in Lok Sabha is 552. The Members are directly elected by the citizens who are the above the age of eighteen. The duration of each Lok Sabha is five years. However, under circumstances, it may be dissolved before the expiry of the full term by the President on the Recommendation of the Prime Minister. Hence, Lok Sabha is not a permanent body. Certain seats are reserved for the members of Scheduled Castes and Scheduled Tribes. The President of India can nominate two Anglo-Indian members to the Lok Sabha. To become a Member, one should be a citizen of India, and must not be less than 25 years of age. The Member must not hold any office of profit under the government; should not have been imprisoned; should not have been declared a person of unsound mind by a Court of Law; and should not be an insolvent. A Member may contest for the election for any number of times.

The Members elect from among themselves the Speaker and Deputy Speaker, who are the Presiding Officer(s) of the House. The Office of the Speaker is respectable. The Powers and functions of the Speaker are:

- ▶ Conducting the Proceedings of the Lok Sabha as per the rules
- ▶ Deciding the matters to be discussed in the House
- ▶ Maintaining the decorum and dignity of the House

B. Union Executive

It is composed of the President, the Prime Minister and the Council of Ministers.

The Executive Head of the Indian Republic is called the **President**. The President is the Head of the State and is the first citizen of the country and represents the nation. The Official Residence of the President is known as Rashtrapati Bhavan. He / she does not belong to any political party. He / she is the Custodian of the Constitution and symbol of unity of the nation. He / she is elected by an Electoral College consisting of Lok Sabha, Rajya Sabha and the Members of the Legislative Assemblies of various States. No court of law can question his / her conduct. He / she may be removed for violation of the Constitution by a process known as *Motion of Impeachment*.

PRESIDENT – Qualifications and Terms

He / she must be a citizen of India; must have completed the age of 35 years; must be qualified for election as a Member of the Lok Sabha; and term / tenure of the Office is five years and eligible for re-election (but according to custom, he / she can not contest for more than two terms).

PRESIDENT – Powers

- ▶ *Executive Powers:* He / she appoints the leader of the majority party or group in the Lok Sabha as the Prime Minister. He / she also appoints the Ministers recommended by the Prime Minister. The Governors / Lieutenant Governors of the States / Territories; Ambassadors; High Commissioners; Consuls; Attorney-General; Comptroller & Auditor General; Finance Commission; The Chief Election Commissioner; Chairman & Members of Union Public Service Commission; and Special Officers for Scheduled Castes & Tribes and Linguistic Minorities are appointed by the President. He / she is the Commander-in-Chief of the Armed Forces (Army, Navy and Air force). Wars, if any, are declared in the name of the President.
- ▶ *Legislative Powers:* He / she has the power to summon the Parliament. He / she may address a joint sitting of both the Houses. A Bill passed by both the Houses of Parliament becomes an Act only after it receives the assent of the President. He / she has a right to send back the Bills for reconsideration. When the Parliament is not in session, he / she has the power to legislate on the recommendation of the Union Cabinet. Such legislation is known as an *Ordinance*. However, for an early dissolution, the advice of the Prime Minister is needed.
- ▶ *Judicial Powers:* The Judges of the Supreme Court and the High Courts are appointed by the President. He / she has a right to pardon and reduce the punishment given by various courts.
- ▶ *Financial Powers:* A Money Bill can be introduced in the Lok Sabha only after obtaining the sanction of the President. The Budget also needs the consent of the President.

- ▶ *Emergency Powers:* To meet certain types of abnormal circumstances in the country, he / she has the power to declare National Emergency. This power is exercised by him / her on the advice of the Council of Ministers. There are *three* kinds of Emergencies during which the President can declare Emergency with the approval of the Parliament and they are: a) When the constitutional machinery has failed in a State, he / she can declare emergency and can dissolve the legislature or suspend it; b) When the country is threatened by external aggression; and c) When the financial condition is in crisis, he / she can declare Financial Emergency.

(So far, Emergency was declared *three* times in our country. Firstly, in October 1962 when China attacked India; Secondly during Pakistani attack in August & September 1965 and December 1971; and Thirdly during 1975 under the excuse of internal disturbances)

From past experience, it is felt that there is a need to make following changes in the Presidential election:

- ▶ He / she should not be a member of any political party in previous five years
- ▶ He / she should not have crossed the age of 65 years at the time of election
- ▶ Only one term to be fixed
- ▶ He / she not have faced any criminal cases anytime in his / her life
- ▶ He / she should have a minimum University degree

The mode of election of our President defers from that of the United States of America or France. He / she is elected by a body of electors constituting an *Electoral College*. It consists of:

- ▶ The elected Members of the Lok Sabha and Rajya Sabha (Nominated Members of the Lok Sabha and Rajya Sabha are not electors)
- ▶ The elected members of the Legislative Assembly of the States (Nominated Members are excluded)
- ▶ The Members of the Legislative Assembly of the National Capital Territory of Delhi and of the Union Territory of Pondicherry (70th Amendment Act, 1st June, 1995)

(NOTE: Our first President Dr. Rajendra Prasad is the only one to have been President for two consecutive terms)

Emoluments: By passing the President's Emoluments and Pension (Amendment) Act, 1998, Parliament has raised to Rs.50000/- per month. The same Act provides for the payment of an annual pension of Rs.300000/- to a person who held Office as President, on the expiration of his term or on resignation, provided he is not re-elected to the Office. (Rs.10000/- originally, raised to Rs.20000/- in 1990 and to Rs.50000/- in 1998 with effect from 1st January, 1996)

Veto: It is the power of the executive to withhold or refuse assent to legislation. The purpose is to prevent ill-conceived legislation as well legislations, which may be *ultra vires* or unconstitutional.

Vetoes are classified into

- ▶ *Absolute Veto*: It is the power to say no to a Bill passed by both Houses of Parliament. Such a bill never becomes an Act. The power cannot be overridden by the legislature. The President has his / her power in relation to all Bills except Money Bills.
- ▶ *Qualified Veto*: It is that power to veto which can be overridden by the legislature by a special majority (in case of United States of America). In India, there is no requirement of special majority. If a Bill is adopted again by the Houses, the President cannot withhold assent. Hence, there is no qualified veto.
- ▶ *Suspensive Veto*: It is a veto that may be overridden by an ordinary or simple majority. Our President exercises this veto when he / she returns a Bill for reconsideration.
- ▶ *Pocket Veto*: When a Bill is presented to the President, he / she either gives his / her assent or refuse to give his / her assent. The Constitution does not prescribe any time limit within which the President has to declare his / her assent. The President may simply keep the Bill on his / her table indefinitely. Such action which is neither negative nor positive is called Pocket veto.

Pardon: It completely absolves the offender from all sentences, punishments and disqualifications. He / she comes to the same position as if he / she had never committed the crime.

Reprieve: It is temporary suspension of death sentence generally pending the proceedings for pardon or commutation.

Respite: It means awarding a lesser sentence in place of one originally awarded e.g., on the ground of pregnancy of a woman offender.

Remission: It reduces the length of sentence without affecting its character i.e. sentence of rigorous imprisonment for two years may be remitted to one year.

Commutation: It substitutes one form of punishment for another of a lighter character i.e. death sentence may be commuted to life imprisonment. Rigorous imprisonment can be commuted to simple imprisonment, which in turn may be commuted to fine.

Electoral College (Value of the Vote)

Article 55 has devised a way by which a value is attached to each vote of a Member of Parliament and Member of Legislative Assembly. This is an attempt to emphasize the federal character of the Office of the President.

$$\text{The Value of the Vote of an MLA} = \frac{\text{Population of the State}}{\text{Total No. of MLAs}} \times \frac{1}{1000}$$

$$\text{The Value of the Vote of an MP} = \frac{\text{Value of Votes of all MLAs of 28 States}}{\text{Total No. of MPs}}$$

The Value of the Vote of an MLA differs from one State to another. This method brings a measure of uniformity among the States and parity between the Union and the States as a whole.

VICE PRESIDENT

Qualifications, Terms and Powers: On the United States of America model, we have a Vice President. But he / she is elected by the Parliament and not by the people as in the case of United States of America. He / she is elected by the Members of both the Houses of Parliament. He / she must be over the age of 35 years, a citizen of India, necessary qualification to be a MP and must have the qualifications which are required to become the President. The term of Office is five years. Whenever the Office of the President falls vacant due to death, resignation or ill health, etc., he / she will assume the Office of the President. However, within six months of time, a new President has to be elected. As in the case of United States of America, he / she cannot remain in the Office for the remaining period of five years term, when the President expires. He / she is the Chairman of the Rajya Sabha and conducts the proceedings of the House in accordance with the rules.

PRIME MINISTER

Qualifications, Terms and Powers: As indicated by the Constitution, there shall be a Council of Ministers headed by a Prime Minister to aid and the advice the President in matters of administration. He / she is the Leader of the Lok Sabha and it is his / her prerogative to choose ministers; allot portfolios; and decides the size of the Cabinet. He / she can also reshuffle the Cabinet. He / she can demand the resignation of any Minister. When the Prime Minister resigns, the Cabinet is also dissolved. He / she plays an important role in the governance of the country. In the matter of national security, the responsibility is enormous. In external affairs, he / she plays a major role. He / she is a link between the President and the Cabinet. Generally, he / she meets the President in the Rashtrapati Bhavan once in a week.

COUNCIL OF MINISTERS

Functions:

- ▶ Ensuring the smooth functioning of the administration
- ▶ Framing the policies of the government and taking decisions accordingly
- ▶ Preparing the Union Budget
- ▶ Drafting the Bills to be introduced in the Parliament
- ▶ Formulating the foreign policy of the Country
- ▶ Suggesting Amendments to the Constitution

The meeting of the Union Cabinet is held once in a week. The Prime Minister presides over it. The proceedings of the meeting are kept confidential. However, each Minister is responsible for his / her portfolio and jointly all the Ministers are responsible collectively to the Lok Sabha. The Ministry will remain in the Office only when they command the confidence of the Lok Sabha. When it withdraws the confidence, the Ministry has to resign. The total number of Ministers including the Prime Minister shall not exceed 15% of the total number Members of Lok Sabha (as per 91st Amendment Act, 2003). Ministers may be chosen from the Lok Sabha or Rajya Sabha. A Minister who is member of one House has the right to speak and to take part in the proceedings of the other House. A Minister is allowed to vote only in the

House of which he / she is a Member. All the members of the Council of Ministers do not belong to the same rank. The Constitution does not classify Ministers into different ranks but in practice four ranks have come to be recognized:

- ▶ *Cabinet Ministers:* He / she has a right to be present and participate in every meeting of the Cabinet. For proclamation of an emergency under Article 352, the advice must come from the Prime Minister and other Ministers of Cabinet rank.
- ▶ *Minister of State with Independent charge:* He / she is a Minister of State who does not work under a Cabinet Minister. When any matter concerning his / her Department is on the agenda of the Cabinet, he / she is invited to attend the meeting.
- ▶ *Minister of State:* He / she is a Minister who does not have independent charge of any Department and works under a Cabinet Minister. The work to such Minister is allotted by his / her Cabinet Minister.
- ▶ *Deputy Minister:* He / she is a Minister who works under a Cabinet Minister or a Minister of State with Independent charge. The work to him / her is allotted by the Minister under whom he is working.

A person who is not a member of either House may also be appointed as a Minister. He / she can continue as a Minister only for six months (Article 75-5). If he / she desires to continue as Minister he / she has to become a member of any one of the Houses of Parliament before the expiration of the period of six months.

C. Union Legislative Procedure

It is of four types depending on the type of a Bill, which are as follows:

- Ordinary Bill
- Money Bill
- Financial Bill
- Constitution Amendment Bill
- ▶ *Ordinary Bill:* It may originate in either House of Parliament as per Article 107. A Bill may be introduced either by a Minister or by any other member. When a Bill is introduced by a member other than a Minister then it called a 'Private Member Bill'. If a private member desires to introduce a Bill he / she has to give notice of his / her intention to seek leave of the House to introduce the Bill. The prescribed period of notice is one month. For Ministers notice is not required. If a Bill has been published in the Official Gazette before introduction, no motion for leave to introduce is necessary. A Bill which has not been published prior to its introduction is published after introduction. The motion for leave to introduce is rarely opposed.

Any time after the Bill has been introduced or on any subsequent occasion, the member-in-charge of the Bill may take one of the following motions in regard to his / her Bill, namely,

- that it be taken into consideration; or
- that it be referred to a select Committee; or
- that it be referred to a joint Committee of the Houses; or
- that it be circulated for eliciting opinion.

The Bill duly authenticated by the Speaker or the Chairman is presented to the President for his / her assent. The President may,

- assent to the Bill. The Bill then becomes an Act.
 - withhold his / her assent. The Bill then ends and does not become an Act.
 - return the Bill for reconsideration. If the Houses again pass the Bill with or without amendments and it is presented to the President he / she is obliged to give his / her assent (Article 111).
- ▶ *Money Bill:* It may be introduced only in Lok Sabha. Article 117 prohibits introduction of Money Bill in the Rajya Sabha. It shall not be introduced or moved except on the recommendation of the President. This after being passed by the Lok Sabha is transmitted to the Rajya Sabha. The Rajya Sabha must return the Bill within a period of 14 days from the date of the receipt of the Bill. Article 110 states that a Bill is deemed to be a Money Bill if it contains provisions dealing with all or any of the following matters, namely,
- The imposition, abolition, remission, alteration or regulation of any tax;
 - The regulation of the borrowing of money or the giving of any guarantee by the Government of India, or the amendment of the law with respect to any financial obligations undertaken or to be undertaken by the Government of India;
 - The custody of the Consolidated Fund or the Contingency Fund of India, the payment of money into or the withdrawal of money from any such Fund;
 - The appropriation of money out of the Consolidated Fund of India;
 - The declaring of any expenditure to be expenditure charged on the Consolidated Fund of India or the increasing of the amount of any such expenditure;
 - The receipt of money on account of the Consolidated Fund of India or the Public Account of India or the custody or issue of such money or the audit of the accounts of the Union or of a State; or
 - Any matter incidental to any of the matters specified in above sub-clauses.
- ▶ *Financial Bill:* It may be any Bill dealing with fiscal matters. Here the determining factor is the Speaker's Certificate. The annual Finance Bill contains many provisions but is treated as a Money Bill because it is so certified and endorsed by the Speaker. It shares two attributes with a Money Bill (a) both of them can originate only in the Lok Sabha and (b) they cannot be introduced without the recommendation of the President. Two types of Financial Bill do not receive the Speaker's Certificate stating that they are Money Bills, namely,
- A Bill which does not solely deal with matters enumerated in Article 110 and contains other matters also. A Bill that deals with iron ore and also imposes a cess on such ore is a Financial Bill [Article 117(1)].
 - A Bill which contains provisions involving expenditure from the Consolidated Fund of India [Article 117(3)].
- ▶ *Constitution Amendment Bill:* A Bill to amend the Constitution may be introduced in either House of the Parliament. Prior recommendation of the President is not required. This is presented to the President who shall give his / her assent to the

Bill. The President has no option but to assent. This must be passed by each House by special majority prescribed by Article 368. There is no provision for joint sitting.

D. Union Judiciary

In our country, we have a single system of Judiciary. We do not have two types as in the case of United States of America; one for the Center and other for the States. Hence, the Supreme Court of our country is the highest Apex Court and its verdicts are final in the constitutional matters, customs and tradition and earlier decisions of the various courts. The judicial system of a country takes up disputes and gives judgment based on the laws. Both the judiciary and the laws play an important role in the society. The courts of law perform the important task of protecting the life, property, dignity and the rights of the citizens. They are not controlled by either the Legislature or the Executive. They are expected to function impartially and independently. Thus, in any country, judiciary plays the important role of interpreting and applying laws and adjudicating upon controversies between one citizen and another citizen / State – to maintain Rule of Law and to assure that the government runs according to law – in a country with a written Constitution. Judiciary is having additional function of safeguarding the supremacy of the Constitution by interpreting and applying its provisions and keeps all authorities within the constitutional framework.

SUPREME COURT

It consists of the Chief Justice of India and other 25 other Judges. It is created by an Act of Parliament (Article 124) and located in New Delhi. The Chief Justice and Judges of the Supreme Court are appointed by the President. He / she should be a citizen of India. He / she should have been a High Court Judge for at least five years or an Advocate of the High Court for at least ten years, or a distinguished Jurist. The age of retirement of Judge is 65. After his / her retirement, he / she cannot practice as an Advocate in any Court. If the Judges are found guilty while discharging their duties, they can be removed from their Office by the President. The Acting Chief Justice can be appointed by the President, if the Office of the Chief Justice of India falls vacant or he / she is unable to perform his / her duties due to absence or otherwise.

(The Constitution as enacted in 1950 provided that the Court shall consist of the Chief Justice and not more than 7 other Judges. The number of Judges was increased to 10 in 1956, 13 in 1960, 17 in 1977 and 25 in 1986).

Functions:

- ▶ Resolving the disputes between the Union and the States, and between the States
- ▶ Issuing Writs to safe guard the Fundamental Rights of the citizens
- ▶ Interpreting the Provisions of the Constitution
- ▶ Giving advice to the President of India

Powers:

It has two types of cases to be tackled:

- ▶ *Original Jurisdiction:* Refers to direct cases that come to them from the parties of dispute

- ▶ *Appellate Jurisdiction:* Refer to those which on decided at lower courts and referred for review

Attorney-General of India: He is the first Law Officer of the Government of India. His duty shall be to give advice on such legal matters and to perform such other duties of a legal character as many, from time to time, be referred or assigned to him by the President. There is no right to vote in the Parliament. He must have the same qualifications as are required to be a Judge of the Supreme Court.

Comptroller and Auditor-General of India: He is the person to control the entire financial system of the country (both Union & States). He is the guardian of the public purse and shall be the impartial head of the audit and accounts system of India. He must have the same qualifications as are required to be a Judge of the Supreme Court.

THE STATE GOVERNMENT

India is a Union of States. Today, there are 28 States. Other than these, there are six centrally-administered Territories. Our Constitution provides for the Government of the Union as well as the Government of 27 States (Total is 28). The State of Jammu & Kashmir was allowed to frame its own Constitution. In Jammu & Kashmir, the Parliamentary form of Government has been adopted and the Executive Head is the Governor. Part VI of the Constitution lays down a uniform structure for all the States. Generally, the State Governments follow the model of the Central Government. There are minor variations. The Legislature in four States (Bihar, Maharashtra, Karnataka and Uttar Pradesh) is *Bicameral*. All the remaining States have only one House called as *Unicameral*. Andhra Pradesh, Tamil Nadu, West Bengal and Punjab have abolished the Legislative Council.

The three organs of the State Government are *Legislature, Executive and Judiciary*.

A. State Legislature

It is composed of the Governor and the *two* Houses (Vidhana Sabha - Legislative Assembly and Vidhana Parishad - Legislative Council). It makes the laws.

Legislative Assembly: It is the House of Representatives of the people. Its Members are elected by the people of all categories. In Karnataka Legislative Assembly, there are 224 seats.

Speaker, Deputy Speaker and Members of Legislative Assembly: The Members of Legislative Assembly elect among themselves as the Speaker as Presiding Officer of the House. They are elected for a term of five years. However, the Assembly may be dissolved before the expiry of the full term. Hence, it is not a permanent body.

The *Qualifications* required to become Speaker, Deputy Speaker and Member of Legislative Assembly are as follows:

- ▶ Should be a citizen of India
- ▶ Should not be less than age of 25
- ▶ Should not hold any Office of profit under the Government
- ▶ Should possess other qualifications as decided by the Parliament

Responsibilities of MLAs: They are the representatives of their respective constituencies. Their main responsibility is to keep in contact with the people and solve their problems. They must take special interest in the developmental activities and welfare programmes of their constituencies. Under the Constitution, the voters have no right to recall the MLAs who fail to discharge their duties.

The *Powers and Functions* of the Legislative Assembly are follows:

- ▶ It is the Legislature of a State. It has power to legislate on the subjects that come under the State List and Concurrent List
- ▶ In all Financial matters (preparation of Budget), the decision of the Assembly is final
- ▶ It plays a role in the Amendment of the Constitution
- ▶ The members also play a role in the election of the President of India

Legislative Council: The membership of the Legislative Council is not more than one-third of the membership of the Legislative Assembly. The number of Members in the Karnataka Legislative Council is 75. One-third of them are elected by the Legislative Assembly, one-third of them are elected from the local bodies, one-sixth each are elected by Registered Graduates and Registered Teachers respectively. Some Members are nominated by the Governor, taking into consideration of the services rendered in the fields of social service, arts, or literature, etc. It is a permanent House and is not subject to dissolution. However, once in two years, one-third of its Members retire. The term of each Member is six years. The Chairman and the Deputy Chairman are elected by the Members of the Council. The deliberations are carried by the Chairman.

Qualifications: To become a Member of Legislative Council, one has to possess the following:

- ▶ Should be a citizen of India
- ▶ Should not be less than 30 years of age
- ▶ Should possess other qualifications as decided by the Parliament

Although, the Council has limited powers in financial and administrative matters, there is a view that the Council is needed because,

- ▶ The Members possess rich experience
- ▶ The Members can delay the Legislation passed by the Assembly in a hurry and the Experts may be nominated by the Council

B. State Executive

It consists of the Governor, Chief Minister and the Council of Ministers. Generally, its composition and functions are similar to those of the Union Executive.

Governor: He / she is the Constitutional Head of the State Executive. But in actual practice, the Chief Minister is the Chief Executive Authority. The President of India nominates the Governor. His / her Office is five years. But, the President has the power to remove the

Governor before the expiry of the term. In other words, the Governor may continue in the Office as long as he / she enjoys the confidence of the President.

Qualifications: The Governor

- ▶ Must be a citizen of India and must not be less than 35 years of age
- ▶ Must not be a Member of either of Parliament or State Legislature

Powers: The Governor

- ▶ Appoints the Chief Minister and, on his / her advice, appoints the Council of Ministers
- ▶ Has right to know from the Chief Minister about the working of the administration
- ▶ May review and give assent or to express dissent over the Bills passed by the Legislature
- ▶ During President's Rule in the State, he / she is in charge of the administration of the State
- ▶ The Money Bills cannot be introduced or amended unless approved by the Governor
- ▶ He / she has power to pardon those who have been convicted (but has no power to pardon a death sentence)
- ▶ The Joint Session of the Assembly is called by him / her and has the right to address the Joint Session
- ▶ When the Assembly is not in session, he / she can issue Ordinances. Such Ordinances should obtain the consent of the Assembly within six months period. In case of non-approval, the Ordinance automatically lapses.
- ▶ The State Advocate General, the Chairman and the Members of the Public Service Commission, the Vice Chancellors of the Universities, etc are appointed by the Governor.

Chief Minister: Just as the Prime Minister is the Head of the Union Government, the Chief Minister is the Head of the State Government. The Governor appoints the Leader of the majority party or group as the Chief Minister.

Powers and Functions: The Chief Minister has

- ▶ The Governor appoints the Ministers selected by the Chief Minister
- ▶ Allocates Departments to the Ministers and also changes their Departments
- ▶ He / she has the power to remove the Ministers. In other words, the Ministers can continue as long they enjoy the confidence of the Chief Minister
- ▶ Has the right to supervise all the Departments
- ▶ Plays important role in the appointment of some of the top officers of the State administration
- ▶ As the Leader of the Ruling party, role in the Legislature is of great importance
- ▶ Expected to maintain a good relationship with the Center

Council of Ministers: The Governor of the State appoints the Council of Ministers on the advice of the Chief Minister. There are three kinds of Ministers and they are Cabinet Ministers, Deputy Ministers and Ministers of State.

Functions:

- ▶ To prepare the Budget and the various Bills and place them before the assembly for its approval
- ▶ To exercise control over the administration. To answer questions asked by the other Members over the administration during the Question Hour
- ▶ Every Minister is held responsible for the work of the Department, which has been entrusted. However collectively all the Ministers are responsible to the legislature. When they lose the Confidence of the house, they have to resign
- ▶ Ministers are expected to tour the State to understand the various problems of the people and find solutions to them
- ▶ From time-to-time, the Cabinet is expected to meet and take necessary decisions about administration

C. State Judiciary

The aim of the Judiciary is to provide justice to the people. Each State will have High Court as per the Constitution. Some bigger States have High Court Benches in another city of their State. Smaller States are attached to nearby big State High Courts. The Chief Justice of High Court is appointed by the President of India in consultation with the Governor of the State and the Chief Justice of India. Other Judges of the High Court are appointed by consulting the High Court Chief Justice and the Governor. As on the year 2000, there are 21 High Courts in our country. Either English or regional language is used in the High Court. They are given salary and facilities like house, car and pension. He can also resign or can be removed from the Office by an order from the President.

High Court Judge – Qualification and Tenure:

- ▶ Must be a citizen of India
- ▶ Must have served under the Indian Judiciary or an Advocate of the High Court for at least ten years
- ▶ The age of retirement is 62 years
- ▶ The President may appoint duly qualified persons as Additional Judges for a period not exceeding two years
- ▶ Has to make and subscribe an oath or affirmation before the Governor or before his / her nominee
- ▶ After retirement, he / she cannot plead or practice before any authority in India except before Supreme Court and other High Courts
- ▶ The President can transfer a Judge from one High Court to another
- ▶ May be resigning from his / her Office by sending Resignation Letter to the President

High Court – Powers / Functions:

- ▶ To issue Writs, to safeguard the Fundamental Rights and other legal rights of the citizens
- ▶ Supervise the working of the Subordinate Courts and frames rules for their functioning

- ▶ Interpret the Provisions of the Constitution
- ▶ The court has territorial limitations of the State only. Only in few cases, additional responsibility of Union Territories is allotted
- ▶ They are governed by the Civil and Criminal Procedures

Subordinate / Lower Courts

Under the Indian Judiciary, there are several Subordinate Courts. The High Courts function under the Supreme Court. The Subordinate Courts, which function under the High Courts, include District and Sessions Judges Courts, City Courts, Taluk-level / Munisiff Courts, Judicial Magistrate, Metropolitan Magistrate, and Nyaya Panchayats.

The Subordinate Courts are of two types:

- ▶ *Civil Court*: It takes up matters such as money transactions, property & contracts, and pass judgment.
- ▶ *Criminal Court*: It takes up matters such as murder, theft & robbery, and passes judgments.

The High Court has the power to admit appeals in civil and criminal cases from the Subordinate Courts. Hence, appeals may be made to the High court against the judgments given by the Lower Courts. Similarly, appeals may be made to the Supreme Court against the judgments given by the High Courts.

Lok Adalat

Under our present Judicial system, the legal procedure is complicated, expensive and time-consuming. As an alternative, the government has set up other forms of legal institutions that function faster and are less expensive. One of them is the Lok Adalat.

The State and District-level Officers organize Lok Adalats, from time to time, at places convenient to the people. They take up cases from the parties which can be settled amicably. The judgment is as good as the judgment given by the Civil Courts. It is worth noting that the judgment is not only final but also binding on both the parties. No appeal can be made against such judgment in any higher court. This saves time and money.

Special Status of the State of Jammu & Kashmir

In Article 370, a special constitutional position is given to the State of Jammu & Kashmir. Even though it is one of the States of the Indian Union; all the provisions of the Constitution of India relating to the States in the First Schedule are not applicable to it.

Some change was made for Jammu & Kashmir due to the peculiarities of its accession to Indian Union. Moreover even after its accession, many leaders of the Jammu & Kashmir State were hobnobbing with Pakistan to join Pakistan. Having regard to the circumstances in which the State acceded to India, the Government of India had declared that it was the people of the State of Jammu & Kashmir, acting through their Constituent Assembly, who were to finally determine the Constitution of the State and the jurisdiction of the Union of

India. The applicability of the provision of the Constitution regarding this State was, accordingly to be in the nature of an interim arrangement. This is the summary of provisions given under Article 370:

- ▶ Until 1965, the Chief Minister was called as Prime Minister of Jammu & Kashmir State and the Governor was called “Sardar-i-Riyasat”.
- ▶ Parliament cannot make any law without the consent of the Legislature of the State of Jammu & Kashmir, where that State is to be affected by such legislation. This speaks of its autonomy.
- ▶ A Proclamation of Emergency declared by the President (Article 352) on the ground of internal disturbance shall be effective in Jammu & Kashmir State only with the consent of its State Legislature.
- ▶ No decision affecting the disposition of the State can be made by the Government of India without the consent of the State Government.
- ▶ The Union shall have no powers to proclamation of Financial Emergency with respect to the State of Jammu & Kashmir under Article 360.
- ▶ Fundamental Rights and Directive Principles - The Provisions of Part IV of the Constitution of India relating to the Directive Principles of State Policy do not apply to the State of Jammu & Kashmir. The provision of Article 19 are subject to special restrictions for a period of 25 years. Special rights as regards employment, acquisition of property and settlement have been conferred on ‘permanent residents’ of the State by inserting a new Article 35A.
- ▶ Separate Constitution for the State of Jammu & Kashmir - While the Constitution for any of the other States of the Union of India is laid down in Part VI of the Constitution of India, the State of Jammu & Kashmir has its own Constitution, made by a separate Committee and promulgated in 1957.
- ▶ This Constitution can be amended by only Jammu & Kashmir Assembly with two-thirds majority.
- ▶ No alternations of the area or boundaries of this State can be made by the Parliament without the consent of the Legislature of the State of Jammu & Kashmir.

Adult Franchise / Suffrage System

In a democracy, every citizen has a right to vote. Right of voting is the essence of democracy. Irrespective of caste, creed, race, religion, language and sex, all those who have completed the age of eighteen years are extended the voting right in India and called as Universal Adult Franchise System.

India has Adult Franchise System. According to the 61st Amendment, which came into force during 1989, the age of eligibility for voting was reduced from 21 to 18 years. Every citizen has the right to vote. When the number of candidates contests for elections, selecting a good candidate is not an easy task. In such cases, the citizen should be very careful and use his / her discretion to choose a proper person. It is a challenging task to the voter; because he has to choose a good person who is loyal and service-minded and devoted to the public cause. The voter has to identify a party which is good for the progress of the nation and vote

for its candidate. Voters should not come under the influence of money, muscle power, caste, creed, race, religion, etc.

The winning candidates (to whichever party they belong) should devote themselves towards the progress of their electorate. The candidates, after elections, should not change their party as it would destabilize the government's functions. The elected candidates should be a model of selfless service, honesty and cooperation.

One of the outstanding features of the Constitution is Adult Suffrage. It means that every person — who is not less than eighteen years of age, has the right to vote in the election to the House of the People and the State Legislative Assembly. The only grounds for disqualification are:

- ▶ Non-residence
- ▶ Unsoundness of mind
- ▶ Crime
- ▶ Corrupt or illegal practice

This provision has been hailed as the “Foundation Spring of Indian’s Democracy”. For, it has swept away at one stroke all the antiquated and undemocratic qualifications prescribed to be eligible for voting — property, income, status, title, educational qualifications and like.

The cumulative effect of the above two provisions on democracy in India is indeed far-reaching. The principle of one man, one vote, and one value has become a constitutional right. The removal of the notorious system of communal electorates which had broken up Indian society statutorily into religious and communal compartments is in perfect harmony with the establishment of adult suffrage. As a result, the citizens of India will vote as individuals and not as Hindus, Muslims, Christians, or Sikhs.

Importance of Adult Franchise System

- ▶ It is complementary to democracy and its functions
- ▶ There is scope for electing mature candidates
- ▶ It helps the citizen to understand the responsibilities in governance
- ▶ It enables to ascertain the opinion of the people
- ▶ It provides the opportunity to the various sections of the society to know public problems and make them aware of their interests
- ▶ The right of voting is enjoyed by all

It shall be the rule for elections. In other words, if a citizen is eighteen years of age on the date fixed by the Legislature and disqualified by any law, he/she is entitled to be registered as a voter. The common disqualifications are based on unsoundness of mind, conviction for crime, corrupt practice at an election, etc. They are contained in the Representation of People Act. It means that barring exceptions every citizen who is an adult possesses the right to vote. A person may be registered as a voter in only one constituency. He must also be ordinarily resident in the constituency in which he desires to be registered. Seats have been reserved for Scheduled Castes and Scheduled Tribes. There is a provision for nomination of not more than two members of the Anglo-Indian community in the

Lok Sabha and one member in a State Assembly. Apart from these, there is no reservation for any religion or community.

Electoral Process

The Preamble to the Constitution declares that India is a DEMOCRATIC REPUBLIC. This implies that all citizens who are eligible to vote will have the right to participate in the elections. We have a Parliamentary form of Government so the party securing a major share of the votes of the citizens or a coalition of parties who are able to obtain support of a majority of Legislators in the popular House (Lok Sabha or Legislative Assembly, as the case may be) form the Government. The vote in an election is the cherished right of every citizen in a democracy. Right of Voting is the essence of democracy. Irrespective of caste, creed, race, religion, language and sex, all those who have completed the age of 18 years are extended the voting right in India and we call it as "Universal Adult Franchise" system (reduced the age from 21 to 18 years in the 61st Amendment, 1989).

Every citizen has the right to vote. When the number of candidates contests for the elections, selecting a good candidate is not an easy task. In such cases, the citizen should be very careful and use his / her discretion to select a proper person. It is a challenging task to the voter because he / she has to choose a good person who is loyal and service-minded and devoted to the public cause. The voter has to identify a party which is good for the progress of the nation and vote for its candidate. Voters should not come under the influence of money, muscle power, caste, race, religion, etc. The winning candidates should devote themselves towards the progress of their electorate. The candidates, after elections, should not change their party as it would destabilize the government's functions. The elected candidates should be a model of selfless service, honesty and cooperation.

India has Representative form of Government. The representatives are elected. There is an Election Commission in India, to conduct elections from time to time. Till 1989, it consisted of the Chief Election Commissioner alone. In 1989, one more Commissioner was added. On 1st October, 1993, provision was made to appoint two Commissioners. Thus the Election Commission at the Center has one Chief Election Commissioner and two Election Commissioners. They are appointed by the President. The Election Commission has conducted the regular and by-elections to the Parliament and State Legislatures. The Commissioners has an appointment for a term of 6 years or till the age of 65 years, whichever is earlier.

Elections in India are more than a process of voting someone to rule the nation. Since independence, Elections in India have evolved a long way, but all along Elections have been a significant cultural aspect on Independent India. It is more like a festival, an indication of jubilation, a show of loyalty, a change of power, and above all ensuring the importance of the individual in a democracy, *the voter*. It is a very elaborate process, that the size of the huge electoral mandates the Elections to be conducted in a number of phases. It involves a number of step-by-step processes from announcement of Election dates by the Election Commission of India, which brings into force the 'Model Code of Conduct' for the political parties, to the announcement of results and the submission of the list of successful candidates to the Executive Head of the State (The Governor) or the Center (The President). The submission

of results marks the end of the Election process, thereby paving way for the formation of the new Government.

The EC performs the following functions

- ▶ Election of the President of India and Vice President of India
- ▶ The Union Parliament and the composition of its two Chambers (Rajya Sabha and Lok Sabha)
- ▶ Qualifications of Members of Parliament
- ▶ Composition of the State Legislatures
- ▶ Qualifications of Members of the State Legislatures
- ▶ Duration of the Parliament and the State Legislatures
- ▶ Elections — to the Parliament and the State Legislatures
- ▶ Reservations of seats in the House of the People and the State Assemblies for the Scheduled Castes and Scheduled Tribes
- ▶ The determination of population for purposes of election
- ▶ Preparation of electoral rolls; Conduct of the elections; Counting of votes and Declaration of results
- ▶ Advice the President in regard to the question whether a Member of Parliament (Article 103) or Member of Legislative Assembly has become subject to any disqualification (Article 192)
- ▶ Advice the President in the appointment of Regional Commissioners at State level

Elections are conducted by secret ballot. The contesting candidates are assigned different symbols so that even an illiterate voter can vote by identifying the symbol. Recently, Electronic Voting Machines are introduced. According to the People's Representatives Act, all matters of dispute arising in the elections are settled by the Supreme Court of India or a High Court. The elections are conducted according to the calendar of events prepared and published by the Election Commission.

Stages of Election Process in India

- ▶ *Pre-Elections:* Before the Elections, the Election Commission announces the dates of nomination, polling and counting. The model code of conduct comes in force from the day the dates are announced. The model code of conduct is a code of conduct mutually agreed upon by various parties to be followed during the Elections. The code of conduct specifies that the Union and State Governments cannot announce any major sops to the electorate to prevent any unfair swings in the voting pattern. No party is allowed to use the Government resources for campaigning. Candidates are required to declare their assets, age, educational qualifications and criminal history. Convicted criminals are debarred from standing in the Elections as well as disfranchised. Persons still on trail may contest, but can be debarred if found guilty. The code of conduct stipulates that campaigning be stopped 48 hours prior to polling day.

Like-minded political parties form alliances and seat-sharing arrangements in each State. Alliances are even formed after the Elections to enable Government formation. It is not unlikely to see parties having won mandate from people on opposing platforms come together for the sake of power. This negates the democratic aspect of the exercise and at times the common voter ends up with a Government which he may have voted against in large number. The seat-sharing arrangement helps the alliance field a candidate from one party to prevent splitting of the votes. For a long time, extravagant electoral spending by the parties and candidates alike had much impact on vote swing. The stakes in the Elections are so huge that extravagant spending by political parties ranged from putting up huge hoardings, posting posters on walls, and giving freebies (political parties used to give colour televisions and gold / silver coins as gifts) during canvassing. Today, the model code of conduct theoretically bans such extravagant spending during canvassing, aims to protect voters from harassment by the parties and also imposes ban on use of loudspeakers after 10.00 p.m.

- ▶ *Voting Day:* Campaigning ends the day before the voting day. Government schools and colleges are chosen to be the polling stations. The day of the Elections is declared a holiday and all liquor shops and bars are shut down. The Collector of each District is in charge of polling. Government servants are employed to many of the polling stations. Electronic Voting Machines are being increasingly used instead of ballot boxes to prevent Election fraud via booth capturing, which is heavily prevalent in certain parts of India. An indelible ink manufactured by the Mysore Paints and Varnish Limited is applied usually on the left index finger of the voter as an indicator that the voter has cast his / her vote. This practice has been followed since the 1962 General Elections and prevents bogus voting.
- ▶ *Post Elections:* After the Election day, the Electronic Voting Machines are stored in strong room under heavy security. After the different phases of the Elections are complete, a day is set to count the votes. The votes are tallied and typically, the verdict is known within a few hours. The candidate who has mustered the most votes is declared the winner of the constituency. The party or coalition that has won the most seats is invited by the President or Governor to form the new Government at Union or State level respectively. This group must prove its majority in the floor of the House (Lok Sabha or State Legislative Assembly) in a vote of confidence by obtaining a simple majority (minimum 50%) of the votes in the House.

Process of Election

1. *Submission of Nominations:* President in case of Lok Sabha and the Governor in the case of Legislatures, issue the Notification of election. The contesting candidates are expected to submit their nominations before the Returning Officer, before the prescribed date. Every nomination should be accompanied by a deposit as prescribed. Deposit money is forfeited in case the candidate does not get the minimum number of votes prescribed.

2. *Scrutiny of Nominations:* The contesting candidates should properly fill up the Nomination Forms and satisfy the various conditions prescribed by the Election Commission. During the process of scrutiny, all such issues are examined. After such scrutiny alone, the names of the eligible candidates to the election are announced.
3. *Withdrawal of Nomination:* The contesting candidates are given a chance to withdraw their nominations. A date is fixed for this purpose.
4. *Election Propaganda:* After the declaration of the names of the contesting candidates, propaganda / canvass work starts to woo the electorate. The independent candidates belonging no political parties are also contest in elections. Meetings, rallies, processions, pamphlets and other means of communication used for the purpose of wooing the voters. All such election campaigns must come to end before 36 hours of commencing polling. However, one is allowed to go from house to house and carry on the propaganda work. (or, campaigning must be stopped 48 hours prior to polling day).
5. *Election Day:* For the sake of the voters, the Election Commission has created a number of election booths. On the day of election, the voters can go to their nearest prescribed booth and exercise their vote. To carry out the election work, a number of Officers are appointed. Security arrangements are also made. A voters' list is prepared. With the help of the list, Officers are able to identify the voters. The list contains the name, sex, age and address of the voters. Recently, the Election Commission has insisted on providing Identification Cards to the voters. The agents of various political parties are present in the booth during elections and their job is to identify the voters and check malpractices. Voters cast their votes through ballot paper or voting machines as the case may be. The ballot paper consists the names and symbols of the candidates, which helps the voter. The sealed ballot boxes / voting machines are given tight security for the day of counting.
6. *Counting of Votes:* A number of counting centers are created and in the presence of the candidates or their agents, the sealed boxes / machines are opened for counting. One who gets the majority is declared as Winner. There is scope for recounting under special circumstances. The election disputes can be settled through courts.

(NOTE: After elections and after the announcement of the results, the Chief Election Commissioner issues the notification that 'New Lok Sabha' has been duly constituted. Similarly, State Chief Electoral Officer of the State issues a notification that 'New Assembly' has been duly constituted).

Panchayat Raj System / Local Self-Government / Self-Help Government

Local Self-government system prevailed in our country from a long time. It is described as the pillars of village administration. Under this system, every village was self-sufficient and whole administration was in the hands of Panchayat, whose head was called 'Sarpanch'. 'Panch' means 'five' and Panchayat consisted of only five members in early days. Later the

number increased but the word 'Panchayat' remained.

If the Constitution is a framework for federal structure then the power is shared between two sets of Government. One at the Center called the Union or the Federal Government and other called State or Provincial Government. So Indian Constitution has the unique distinction of containing provisions regarding government at three levels: (a) Union, (b) State, and (c) Local.

India is a democratic nation. Under democracy, the people must be aware of the administration system. Such knowledge is provided by Panchayat system. The various local self-governing units like Panchayats, Municipalities and Corporations are the local self-governing units which impart education of democracy because the first lessons of democracy are learnt there.

In 1957, Balwant Rai Mehta Committee suggested the mode of formation of Panchayat Raj. Its recommendations were accepted by the Government. Rajasthan was the first State to introduce the Panchayat Raj System in the country. But when the expected results did not come, a Committee was appointed under the Chairmanship of Sadiq Ali in 1964 to report on the working of the Panchayat Raj System in Rajasthan. It was found that the major cause was lack of people's participation, which in turn was the result of ignorance, poverty, caste divisions and scarcity of financial resources.

Panchayat Raj System: Every village and town has their own peculiar problems. It is difficult to find solutions for them unless they meet and discuss them and bring their decision in to force. This work is called 'Grama Rajya' or 'Panchayat Raj'. In order to make the life of a village happy, people belonging to that place should take part in its activities. For this local participation, devolution or decentralization of power is necessary. Action can be taken only when power is given to the local people. It is to carry out such programmes of developing villages, that Panchayat Raj System is introduced.

It is for the progress and development of the villages that both the Central and State Governments have implemented the Panchayat Raj System. India is a country with full of villages. The progress and development of India is possible only with the development of villages. The dream of Gandhiji was 'Gram Swaraj'. This he called 'Suraj'. Gandhiji in his book 'India of my dream' has explained the concept of 'Swarajya', which was his ideal or popularly known as 'Rama Rajya'.

The main aims of Panchayat Raj System are as follows:

- ▶ To give more power to people in administration
- ▶ Introduce decentralization of power in administration
- ▶ Work for the comprehensive progress of a village

It is with this purpose, a comprehensive Amendment was introduced in 1983. This new Act was known as Panchayat Raj Act which came into force on 14th August, 1985. Under this Act, Zilla Parishad, Taluk Panchayat Council, Mandal Panchayat and Nyaya Panchayat came into force. The aim of this Act was to strengthen the Panchayat Raj. Thus, the Constitution under 73rd Amendment Act, 1992 inserted Part IX which contains provisions for Panchayats. It gives Constitutional status to Panchayats and provides guidelines to the States to enact detailed supplementary laws. All the States and Union Territories excepting

Jammu & Kashmir, Delhi and Arunachal Pradesh have enacted such laws. In Nagaland, Meghalaya and Mizoram, a parallel set of institutions exist under the Schedules 5 and 6 of the Constitution.

Local Administration in Village: There are two kinds of Village Administrative Institutions; one is for a village and the other for town. On 1st November, 1959 i.e. the Rajyotsava Day, Mysore Grama Panchayat and Local Self-governing Units Act was introduced. It consisted of three-tier system, i.e. Village Panchayats at Village level, Taluk Development Boards at Taluk level, and at the District level, District Development Council. The Grama Panchayat and Taluk Development Boards consist of elected representatives and District Development Council consists only with officials.

Under Panchayat Raj System, the role of Grama Panchayat is very important. The progress and development of the village depends on it. It is called the pillar of 'Grama Swarajya' or 'Grama Suraj'. Under this new Act, villages with five to seven thousand population and the adjacent small villages join together to create a Grama Panchayat. Whereas in Malnad and hilly areas, villages having a population of 2500 are allowed to form Grama Panchayat. Every four hundred residents will have one representative and they are elected by voters, whose age is above eighteen years. The term of the Office is for five years. The elections to these Panchayats are conducted on non-party basis. It also provides reservation for the posts of President and Vice President of all the Village, Taluk and Zilla Panchayats. It provides an opportunity to the women of backward and weaker sections of the society for becoming the President and Vice President. The Panchayat is expected to meet at least once in two months. It can create Sub-committees to look after or supervise the work of the Panchayat.

Functions of Grama Panchayat

- ▶ Taking care of health and sanitation of the village
- ▶ Providing pure water for drinking
- ▶ Providing drainage and street lights
- ▶ Helping agriculture and taking care of cattle
- ▶ Housing
- ▶ Establishing Khadi and Village industries
- ▶ Taking care of streets, public buildings and their maintenance
- ▶ Providing elementary education
- ▶ Undertaking public health and family welfare programmes
- ▶ Taking care of market and market yard's development
- ▶ Implementing women and child welfare projects
- ▶ Welfare of the Scheduled Castes / Scheduled Tribes / Other Backward Classes, etc.
- ▶ Supply of food grains and kerosene, and other essential commodities
- ▶ Any other work as directed by the Government

Taluk Panchayat: Under this Act, every revenue Taluk will have a Taluk Panchayat. This consists of the elected members of the Taluk Panchayat. For every 1000 persons, one

representative is elected from the rural areas. In addition, the local Member of Legislative Assembly, Member of Legislative Council, and Member of Parliament are also members. Besides 1/5th of the Presidents of Grama Panchayats are appointed on rotation basis for a period of one year. Thus seats are reserved like: 18% for Scheduled Castes, 5% for Scheduled Tribes and 33% for Other Backward Classes. An overall 33% seats are reserved for women. In the Council, there must be at least eleven elected members. To carry out the work in an effective manner, three Standing Committees are constituted viz., General Ad hoc Committee; Finance and Planning Committee; and Social Justice Committee.

Functions of Taluk Panchayat

- ▶ To prepare the annual plan and budget as suggested by the government or the Zilla Panchayat (To prepare Income and Expenditure Statements of the Taluk)
- ▶ Prepare agricultural extension programmes and request for grants
- ▶ Undertake conservation of soil and land development
- ▶ Undertaking small irrigation projects and their maintenance by using water in proper manner
- ▶ Maintenance of cattle, dairy and fisheries facilities
- ▶ Encouraging cottage industries and rural housing development
- ▶ Supply of drinking water in rural areas
- ▶ Promoting the use of solar energy, bio-gas and other non-conventional energy resources
- ▶ Looking after rural health
- ▶ Maintenance and protection of Panchayat property
- ▶ Promoting primary, higher and technical education
- ▶ Social and Cultural activities
- ▶ Undertaking Rural Electrification
- ▶ Also, Social, Cooperative and Library activities

Zilla Panchayat: It is one of the important units of Panchayat Raj System at the district level. A member for every 40000 people is elected for Zilla Panchayat. But in the cases of Malnad, hilly areas, one member is elected for 30000 people. In addition, the Members of Lok Sabha and Rajya Sabha who represent the district and the Members of the Legislature (Assembly and Council) are the members of the Zilla Panchayat. Grama Panchayat Presidents (1/5th in rotation) are also its members. The term of Office is five years. According to the rule of reservation, seats are reserved for Scheduled Castes, Scheduled Tribes and Other Backward Classes. However, 1/3rd of the total elected seats are reserved for women. It should meet at least once in a month to transact its business. To carry out the work in an efficient manner, five Standing Committees are formed: General Standing Committee; Finance and Planning Committee; Social Justice Committee; Education and Health Committee; and Agriculture and Industry Committee.

Functions of Zilla Panchayat

- ▶ Agriculture (Extension Plans) and Horticulture
- ▶ Land Development
- ▶ Water works and Proper use of Water Resources and Maintenance
- ▶ Development of Animal Husbandry and Poultry Rearing
- ▶ Food processing units and development of Small Scale Industry
- ▶ Rural Housing, Supply of Drinking Water and Sanitation
- ▶ Roads, Buildings, Bridges, Land and Water Transport
- ▶ Use of Non-Conventional Energy
- ▶ Implementing Anti-poverty Schemes of government, both Central and State
- ▶ Primary, Higher and Technical Education
- ▶ Women and Child Welfare Programmes
- ▶ Social Development of the Disabled and Mentally retarded
- ▶ Development of Scheduled Castes, Scheduled Tribes and Other Backward Classes
- ▶ Protection of Community Property
- ▶ Arranging of Public Distribution System
- ▶ Promoting Cooperatives
- ▶ Taking care of Rural Electricity
- ▶ Helping Reading Room and Library Development

Municipal Local Bodies: These institutions are created to look after the welfare of cities and towns. There are three kinds: Town Municipality, City Municipality and Corporations.

Town and City Municipalities: They are constituted for a population of 10000 to 50000 in towns or cities. Such City Municipality Councils will have 15 to 35 elected members. In practice, they are called Councillors. Even there is reservation for Women, Scheduled Castes, and Scheduled Tribes. The term for these municipalities is five years. Under special circumstances, the State Government has power to extend the term. The State Government also has power to dissolve them, in case they are found unsatisfactory in their functions. The good work of a Municipality is rewarded by the State Government.

Functions of Town and City Municipalities

- ▶ Maintenance of Underground Drainage, Public Gardens, Play grounds, and Cleanliness
- ▶ Taking care of Roads, Street lights and Sanitation
- ▶ Provide Relief in case of Natural Calamity
- ▶ Maintenance of Birth and Death Record
- ▶ Supply of Drinking Water
- ▶ Construction of Roads and their Maintenance
- ▶ Extension and Beautification of City

Municipal Corporation or Mahanagara Palika: They are created where the population is more than two lakhs and income is more than one crore of rupees. The number of members is decided by the State Government. The membership may vary from 50 to 100. The complete City is divided into Wards, and from each Ward, one member is elected. Here also reservation is observed. The term of Corporation is five years. To help administration, an Administrator is appointed by the Government. The administration of Mahanagara Palika is carried on by three wings: General Body or Council; Standing Committees, and Commissioner. Also, there are a number of Standing Committees to carry on the administration in a smooth manner like Finance and Tax Committee, Public Health Committee, and Public Works and Development Committee, etc.

Functions of Municipal Corporation or Mahanagara Palika

- ▶ Construction of Roads, maintaining Street lights, Water Supply, Underground Drainages, Gardens
- ▶ Maternity Hospitals, Family Welfare Centers, Dispensaries
- ▶ Prevention of Epidemics
- ▶ Free and Compulsory Education, Mid-day Meals, Restaurants, Library and Reading Room facility, Registering of Birth and Death

The Scheduled and Tribal Areas: Our Constitution contains special provisions for administration and control of certain areas which have been named as Scheduled Areas and also for Scheduled Tribes even though such areas form part of a State or Union Territory. The reason was that these areas are comparatively backward and inhabited by a tribe. It was also a step towards preserving their culture and protecting them from exploitation. At the same time, the government allowed a free hand to foreign missionaries to convert these tribes to Christianity by exploiting their poverty, ignorance and inaccessibility to other Indians. As a result of this policy, these tribes are even 55 years after the commencement of the Constitution far away from the mainstream and have developed a vested interest in separatism. Some of them are supplied arms by foreign powers which they use in killing fellow citizens. Nagaland and Tripura are paradigm examples of the results of this policy.

The 5th Schedule is applicable to Scheduled Areas and Scheduled Tribes in all States excepting Assam, Meghalaya, Tripura and Mizoram. The President has the power to declare any area to be Scheduled Area. The Governor has special responsibility in regard to such areas. He / she required to report to the President annually or whenever so required by the President regarding the administration of the Scheduled Areas. The Union may give direction to the States in regard to the administration of such areas. Each State has a Tribes Advisory Council consisting of not more than 20 members of whom $\frac{3}{4}$ th shall be the representatives of Scheduled Tribes in the Legislative Assembly of the State. It is the duty of the Council to advise on matters pertaining to the welfare and advancement of the Scheduled tribes referred by the Governor.

Short Questions

1. Explain the power distribution in terms of Lists.
2. Briefly explain the concept of Panchayat Raj System.
3. Write short notes on Sessions of Parliament.
4. Describe Adult Franchise System.
5. Explain the process of Election.

Long Questions

1. Discuss briefly the three organs of Union Government and State Government.
2. Briefly explain the functions / activities of:
 - a. Union Legislature
 - b. Union Executive
 - c. Union Judiciary
3. Briefly explain the functions / activities of:
 - a. State Legislature
 - b. State Executive
 - c. State Judiciary

III

UNIT

FUNDAMENTAL RIGHTS AND FUNDAMENTAL DUTIES

Fundamental Rights and Fundamental Duties – Content and Significance – Special Provisions created in the Constitution for SCs / Scheduled Tribes (Dalits), OBCs, Women, Children and the Religious and Linguistic Minorities

Fundamental Rights

As citizens of India, we are all assured some fundamental rights and duties. 'Fundamental Rights' protects us from injustice and 'Fundamental Duties' enables us to contribute to the welfare of the nation.

Rights: The privileges given to the citizens are their rights. Some are natural rights (like the right to live, right to self protection) and some others are legal rights (like right to equality, right to education). Rights are the bases of a democratic country.

Fundamental Rights: The Indian Constitution has given certain Fundamental Rights to all the citizens. These have been specified in the Constitution. They have also been guaranteed and supported by law. The Fundamental Rights comes under the Part III of the Constitution of India. It is necessary for every individual to live a complete and satisfactory life. All citizens are assured SIX Fundamental Rights. They are as follows:

1. *Right to Equality:* Here, all are equal before the law and also nobody is above the law. All should get equal protection of the law. It states that all citizens should be treated as equals irrespective of religion, race, caste, gender, or birth of place. It means there is supremacy of law or 'Rule of Law'. No citizen shall be subject to any restrictions with regard to access to shops, public restaurants, hotels, places of public entertainment, worship places, on the use of wells, tanks, roads and other public places. All citizens enjoy equal opportunities to take up government employment.

Under this right, Untouchability is an offence. Insulting the members of Scheduled Castes / Scheduled Tribes by calling them 'untouchables' is an offence.

2. *Right to Freedom:* The Constitution has listed SIX types of freedom:

- ▶ Freedom of Speech and Expression
- ▶ Freedom to Assemble Peacefully
- ▶ Freedom to form Associations
- ▶ Freedom to move freely throughout India
- ▶ Freedom to reside and settle in any part of India
- ▶ Freedom to practice any Profession, Occupation, Trade or Business

The Constitution itself has specified certain circumstances under which individual freedoms may be restricted.

3. *Right against Exploitation:* The aim is to prevent exploitation of women, children and the weak. The Union and State Governments have enacted several laws to prevent exploitation. For instance, both, giving and receiving dowry is punishable under the law; the system of bonded labor, and has been prohibited; employment of children in mining, manufacture of beedi and fire-works and such other dangerous occupations is prohibited. This is meant to protect members of the weaker sections. The governments has not only prohibited child labor, but has also made education compulsory up to the age of Fourteen. All children, irrespective of gender, caste and religion, must now attend school.
4. *Right to Freedom of Religion:* Since India is a secular country, every citizen has a right to practice and propagate his / her religion. However, the State may impose restrictions in the interests of public order, morality and health.
5. *Cultural and Educational Rights:* This protects the interests of religious and linguistic minorities. They have the right to protect their language, script or culture. They may establish and administer their own educational institutions. For example, in Tamil Nadu, the Kannadigas (who are minority) have the right to establish Kannada medium schools. The Tamilians in Karnataka also have similar rights.
6. *Right to Constitutional Remedies:* The Constitution has not only given Fundamental Rights to the citizens of India but also guaranteed them. When rights are violated, the citizens appeal to the court of law for their protection. The court of law is empowered to enforce the Fundamental Rights. On any matter relating to a Fundamental Right, a citizen may file a petition in the High Court / Supreme Court. Such petitions are known as *Writ Petitions*.

In brief, the Fundamental Right forms the basis of our democratic system. However, the government is empowered to restrict them in the interests of the national security and socio-economic progress. The Indian Parliament may even curtail or suspend Fundamental Rights under certain extraordinary circumstances. Fundamental Right is from Articles 12 to 35 in the Constitution of India. The Articles of Fundamental Rights are as follows:

- ▶ Article 12: Definition
- ▶ Article 13: Laws inconsistent with or in derogation of the Fundamental Right

Right to Equality

- ▶ Article 14: Equality before law
- ▶ Article 15: Prohibition of discrimination on grounds of religion, race, caste, sex, or place of birth
- ▶ Article 16: Equality of opportunity in matters of public employment
- ▶ Article 17: Abolition of Untouchability
- ▶ Article 18: Abolition on Titles

Right to Freedom

- ▶ Article 19: Protection of certain rights regarding Freedom of Speech, etc
- ▶ Article 20: Protection in respect of conviction for offences
- ▶ Article 21: Protection of life and personal life
- ▶ Article 22: Protection against arrest and detention in certain cases

Right against Exploitation

- ▶ Article 23: Prohibition of traffic in human beings and forced / bonded labor
- ▶ Article 24: Prohibition of employment of children in factories

Right to Freedom of Religion

- ▶ Article 25: Freedom of conscience and free profession, practice and propagation of religion
- ▶ Article 26: Freedom to manage religious affairs
- ▶ Article 27: Freedom as to payment of taxes for promotion of any particular religion
- ▶ Article 28: Freedom as to attendance at religious instructions or religious worship in certain educational institutions

Cultural and Educational Rights

- ▶ Article 29: Protection of interests of minorities
- ▶ Article 30: Right of minorities to establish and administer educational institutions
- ▶ Article 31A: Saving of laws providing for acquisition of estates
- ▶ Article 31B: Validation of certain Acts and Regulations
- ▶ Article 31C: Saving of laws giving effect to certain Directive Principles

Right to Constitutional Remedies

- ▶ Article 32: Remedies for enforcement of rights conferred by this Part
- ▶ Article 33: Power of Parliament to modify the rights conferred by this Part in their application to forces, etc
- ▶ Article 34: Restriction on rights conferred by this Part while martial law is in force in any area
- ▶ Article 35: Legislation to give effect to the provisions of this Part

[NOTE: Articles 31, 31D and 32A has been repealed by Amendments]

Meaning of 'Life and Personal Liberty'

Life is not mere animal existence or survival. It would include the right to live with human dignity and all those aspects of life which go to make a man's life meaningful, complete and worth living. The expression *personal liberty* covers a wide variety of rights which go to constitute the personal liberties of a man other than those which are already included in Article 19. The courts are inclined to give the widest amplitude to the expression. On account of the liberal interpretation, Article 21 has now come to be invoked almost as a residuary right, even to the extent which the founding fathers never dreamt of. From the judgments of the Supreme Court, the following are some of the rights that are to be read in Article 21:

- ▶ Right not to be subjected to bonded labour
- ▶ Right to livelihood by means which are not illegal, immoral or opposed to public policy
- ▶ Right to decent environment
- ▶ Right to shelter
- ▶ Right to travel abroad
- ▶ Right to speedy trial
- ▶ Right to legal aid
- ▶ Right to privacy
- ▶ Right against solitary confinement
- ▶ Right against bar fetters
- ▶ Right against handcuffing
- ▶ Right against delayed execution
- ▶ Right against custodial violence
- ▶ Right to education
- ▶ Right to pure drinking water
- ▶ Right to good roads
- ▶ Right to reputation
- ▶ Freedom from noise pollution

Protection against Arrest

Article 21 guarantees right to life and personal liberty. A law may be enacted by a Legislature depriving a person of his / her right. Article 22 sets out certain limitations upon the powers of the Legislature. If a law contravenes the conditions or limitations prescribed by Article 22 the law would be a nullity. Article 22 is not a complete code. It has to be construed with Article 21. Article 22 has two parts. The first part consists of Clauses (1) and (2) those Clauses apply to all arrests made under any law except under a law of preventive detention. The rights flowing from this Article in case of ordinary arrests are:

- ▶ Right to be informed of the ground of arrest
- ▶ Right to consult and be defended by a lawyer

- ▶ Right to be produced before a Magistrate within 24 hours of his arrest (excluding the time of journey)
- ▶ Right not to be detained for more than 24 hours without the authority of a Magistrate

The above rights are not available to (a) an enemy alien and (b) a person detained under a Law of Preventive Detention.

The second part of Article 22 comprising of Clauses (4) and (5) provide safeguards to detenués under a Law for Preventive Detention. It is noteworthy that these safeguards are available even to enemy aliens. Preventive Detention is the detention of a person where the evidence against him is not sufficient for his conviction by a court but is sufficient to justify his detention for reasons of defence, foreign affairs, State security, maintenance of public order, etc. Punitive Detention punishes a person for something done by him. Preventive Detention prevents a person from doing something. Preventive Detention is a precaution taken by the Executive.

Our Constitution considers that preventive detention is a necessity, but it must be subject to limitations to prevent misuse. Examples of laws providing for preventive detention are —

- ▶ Preventive Detention Act, 1950 (Repealed)
- ▶ Maintenance of Internal Security Act (MISA), 1971 (Repealed)
- ▶ Conservation of Foreign Exchange and Prevention of Smuggling Activities Act (COFEPOSA), 1974
- ▶ National Security Act (NSA), 1980
- ▶ Prevention of Terrorism Act (POTA), 2002

Fundamental Duties

The Fundamental Rights and Fundamental Duties are like the two faces of a coin. The Fundamental Duties are one's obligations towards the country. When citizens voluntarily perform them, the country is sure to make rapid progress. The Fundamental Duties (Article 51A) did not form part of the Constitution as originally adopted. They were included on 11th December, 1976 by the 42nd Amendment. None of the major democracies like United States of America, Australia, Canada, France, Germany, etc. contain a table of Fundamental Duties.

The Duties (10 + 01* = 11) of the citizens enumerated are as follows:

1. To abide / respect by the Constitution and respect its ideals and institutions, the National Flag and the National Anthem
2. To cherish and follow the noble ideals which inspired our national struggle for freedom
3. To uphold and protect the sovereignty, unity and integrity of India
4. To defend the country / motherland and render national service when called upon to do so
5. To promote harmony and spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities; to renounce practices derogatory to the dignity of women

6. To value and preserve the rich heritage of our composite culture
7. To protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for living creatures
8. To develop the scientific temper, humanism and the spirit of inquiry and reform
9. To safeguard the public property and to abjure violence
10. To strive towards excellence in all spheres of individual and collective activity so that the nation constantly rises to higher levels of endeavor and achievement
11. * Who is a parent or guardian to provide opportunities for education to his child or, as the case may be, ward between the age of six and fourteen years

[* Inserted by the Constitutional (86th Amendment) Act, 2002]

Standards in Public Life

It is the duty of every citizen to obey the constitutional mandate. Every holder of a Public Office has superadded to his / her duties as a citizen the additional duties imposed by virtue of the Office he / she hold. Sensitivity of all enforcement agencies is essential for realizing the promise held out in the Constitution. It is important to draw our attention to “The Seven Principles of Public Life” contained in the First Report of the United Kingdom’s Committee on Standards in Public Life —Volume-I by Lord Nolan, Chairman of the Committee, which is reproduced below:

- ▶ *Selflessness*: Holders of Public Office should take decisions solely in the terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family or their friends.
- ▶ *Integrity*: Holders of Public Office should not place themselves under any financial or other obligation to outside individuals or organizations that might influence them in the performance of their official duties.
- ▶ *Objectivity*: In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of Public Office should make choices on merit only.
- ▶ *Accountability*: Holders of Public Office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their Office.
- ▶ *Openness*: Holders of Public Office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.
- ▶ *Honesty*: Holders of Public Office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
- ▶ *Leadership*: Holders of Public Office should promote and support these principles by leadership and example.

Constitutional Provisions

Provisions for Scheduled Castes and Scheduled Tribes

The President of India has the power (Article 341) to declare with respect to any State or Union Territory the castes, races, or tribes or parts of or groups within the castes, etc. as Scheduled Castes in relation to a State or Union Territory. Similarly, under Article 342, the President has the power to specify the tribes or tribal communities or groups within them as Scheduled Tribes in relation to State or Union Territory. In case of a State, the President must consult to the Governor of the State.

Article 330 ordains that seats shall be reserved in the Lok Sabha for Scheduled Castes / Scheduled Tribes. Similar reservation is made in case of Legislative Assembly. The number of seats reserved shall be in proportion to their population in the State or Union Territory. Until 2001, there were 119 seats reserved in the house of the people for these communities. 79 seats were reserved for the Scheduled Castes and 40 seats for the Scheduled Tribes. Such reservation was originally to continue till 1960 but by successive Amendments it has now been extended till 2010.

Both the Central and State Governments have taken up special provisions and plans for the socioeconomic development of these classes. Every five year plan has the budgetary allocation for the development and improvement of the standard of living of these classes. In 1978, the Minority Commission was set up to look up continuously the problems of minorities and suggesting remedial measures by the Government of India.

Article 338 provided for appointment for a National Commission for Scheduled Castes and Scheduled Tribes. By the 87th Amendment Act, 2003, a new Article has been inserted (Article 338A). Henceforth there will be two Commissions, i.e., National Commission for Scheduled Castes and National Commission for Scheduled Tribes. These Commissions will consist of a Chairperson, Vice-Chairperson and three other members. These commissions have been assigned the following duties:

- ▶ To investigate and monitor all matters relating to the safeguards provided under the Constitution or by any other law or any order of the Government
- ▶ To inquire into specific complaints with respect to deprivation of the rights
- ▶ To participate and advise on the planning process of socioeconomic development of the Scheduled Castes and Scheduled Tribes
- ▶ To present to the President an Annual Report on the working of the safeguards
- ▶ To make such recommendations in the report as to the measures that should be taken by the Union or any State for the effective implementation of the safeguards
- ▶ To discharge such other functions as the President may specify

The condition of certain castes in India like Scheduled Castes and Scheduled Tribes was pitiable. Great thinkers and reformers like Buddha, Basaveshwara, Dayananda Saraswathi, Gandhiji and Dr. Ambedkar fought against this evil. Fully bearing this background in mind, the makers of our Constitution have provided many Provisions to assure equality, liberty

and social justice. They have embedded these ideas in the Preamble of the Constitution with following Provisions, which are as follows:

- ▶ Some seats are reserved in the State Assemblies and Lok Sabha
- ▶ Some Constituencies are declared reserved from these can contest
- ▶ Certain percentage of jobs in the Government and Educational institutions are reserved (15% for Scheduled Castes and 7.5% for Scheduled Tribes)
- ▶ Special and Mobile Courts have been setup to safeguard the rights and also disposal of cases relating to the practice of untouchability

In the field of education, care is taken to provide all facilities like supply of free books by opening Book Banks. Free boarding and lodging facilities are provided by opening Hostels. The Government is giving Scholarships to these students. Employment Exchange Offices have been opened for the disabled Scheduled Castes / Scheduled Tribes. Also, elaborate measures have been taken up to improve their standard of life in the field of agriculture, horticulture, animal husbandry and small scale industries. Now, these people have occupied key positions in administration, education, law and order, etc. this is a good sign.

Provisions for Women

Our Constitution has granted the '*Right to Equality*' to all citizens, including women. However, in many ways, women are denied this right and they are discriminated against. For example, there are more non-literate women than men. More boys get to complete high school than girls, girls do more domestic work than boys, and taking the population as a whole there are more men than women. Why these differences are?

During the last two centuries, various measures are taken to improve the status of women in India. Social reformers like Raja Ram Mohan Roy, Swami Dayananda Saraswathi, Rabindranath Tagore, Annie Besant, Eswarchandra Vidyasagar, Gandhiji, Sarojini Naidu, etc. have rendered yeomen service for the cause of women's upliftment. Women's education, abolition of child marriage, abolition of sati and legal provision for widow marriage are the various steps taken to improve the conditions of women.

According to the Marriage Act of 1954, the age is fixed at 21 years for men and 18 years for women. Inter-caste marriages are encouraged. Under Article 23, prohibiting traffic of in human beings and forced labour like beggary and similar forms shall be an offence punishable in accordance with law. Dowry Prevention Act of 1961 abolishes dowry system. Under Child Marriage Restraint Act, child marriage is illegal and steps are taken to prevent it. There is a provision for 33% reservation of seats for women in all the local bodies. Under the Indira Women Welfare Programme, many schemes have been developed for the welfare of the women. In 1998, 'Shtree Shakthi' scheme was enforced for the development of rural women. 'Balika Samruddi Yojana' was enforced to protect women from sexual harassment and the 'Rastreeya Mahila Vimochana' was introduced. The year 2001 was declared as the 'Year of the Women Empowerment' to the promotion of the development of women.

After Independence, various measures have been taken by the Government to improve the status of women. Some of them are:

- ▶ In matters of public employment, equal opportunities are provided for both men and women by the Constitution (Articles 14 & 15)
- ▶ The education of girls stressed by creating various facilities by the government
- ▶ Adult Education Centers for women have been opened
- ▶ A Commission is constituted for the welfare of women and children
- ▶ Polygamy is discouraged by law
- ▶ Child marriage is abolished
- ▶ A law is passed to give equal share in ancestral property
- ▶ Widow marriage is encouraged
- ▶ Dowry system is banned legally
- ▶ Provide shelter to such of the women who are in trouble, arrangements are made for their temporary shelter (since 1969)
- ▶ In all the walks of life, women are given equal opportunities together with men

Provisions for Children

All those who are below the age of 14 are identified as children. Pandit Jawaharlal Nehru said that children are the wealth of the country and that a 'Child of today is the Citizen of tomorrow'. Although the Constitution guarantees certain rights to children, many children in our country are without proper care, nourishment and education. Some of the specific problems faced by children are:

- ▶ *Child Abuse*: When children are subjected to physical punishment and or mental torture, this is known as Child Abuse. Some examples are severely beating; being indifferent towards them; employing them in dangerous jobs and behaving badly with them.
- ▶ *Exploitation of Girl Child*: She is forced to do difficult and tedious domestic chores. For example, girls of a family are expected to carry water and / or firewood over long distances, while the boys of the family do not do such work. It is common for families that are having economic problems to send their daughters to work as domestic servants to houses of rich people as bonded labourers until their parents repay the loans.
- ▶ *Problems of Child Labour*: Children are employed not only in fields and in homes, but also in hotels, garages and in factories like match-box, crackers, textiles, etc.
- ▶ *School Dropouts*: Children are pulled out by their parents so that they can contribute in their fields or contribute to family's income. Dropping out of school is against interests of child. Currently, there are many schemes which try to retain children in school.

The General Assembly of United Nations Organization adopted a Universal Charter in November 1989 for the welfare of the children. The Rights of the Child under the Charter are as follows:

• Right to Life	• Right to Education
• Right to Health	• Right for obtaining Nutritious Food
• Right to Leisure	• Right to Play
• Right to get Good Standard of Life	• Right of Protection against Exploitation & Negligence
• Right for Protection from Abuse & Immoral Traffic & Intoxicants	• Right against subjecting to Drugs
• Right against Forced Employment	• Right against Violence

Irrespective of caste, race, religion, language, sex, society, the rights are to be strictly adhered to by all the nations and for no reason these rights could be denied. Since 1974, the Government has undertaken various projects and programmes for the all round development of children which include the nutrition, inoculation, health checking, pre-school education, etc. The Government of India has opened 'Balvikas Kendras' under the aegis of the Indian Council for Child Welfare for the development of the children. In 1955, National Children's Board was established to promote the cause of the child welfare. Both Central and State Governments have taken various measures to protect the rights of the children and steps have been taken for the eradication of child labor.

Provisions for Other Backward Classes

Seats are reserved in the Legislatures for Scheduled Castes and Scheduled Tribes. The State is free to make special Provisions for the advancement of Socially and Educationally Backward Classes and for Women and Children.

Not intended with making Special provisions for the Scheduled Castes, who a specific category of socially depressed people (generally identifiable with the Gandhian term '*harijan*'), the Constitution has made separate Provisions for the amelioration and advancement of all 'backward classes', in general. Of course, the Constitution does not define Other Backward Classes. The Scheduled Castes and Scheduled Tribes are no doubt backward classes, but the fact that the Scheduled Castes and Scheduled Tribes are mentioned together with the expression 'backward classes' in the foregoing provisions shows that there may be Other Backward Classes of people besides the Scheduled Castes and Scheduled Tribes. The Constitution provides for the appointment of a 'Commission to investigate the conditions of backward classes (Article, 340). Such a Commission was appointed in 1953 (Kaka Saheb Kalelkar as Chairman), with the following terms of appointment:

- ▶ To determine the tests by which any particular class or group of people can be called 'backward'
- ▶ To determine a list of such backward communities for the whole of India
- ▶ To examine the difficulties of backward classes and to recommend steps to be taken for their amelioration

This Commission submitted its Report to the Government in 1955, the tests recommended by the Commission appeared to the Government to be too vague and to be of much practical

value; hence, the State Governments have been authorized to give assistance to the backward classes according to the lists prepared by the State Governments themselves.

The Second Backward Classes Commissioner, B. P. Mandal, submitted his Report in 1980. In August, 1990, the Government declared reservation of 27% seats in government service on the basis of this report. This was challenged as unconstitutional. A nine-Judge Bench has decided this case in November, 1992, rejecting that challenge. The Court has not itself enumerated the 'backward classes' but has directed the Government to set up a Commission to specify the backward classes, in the light of the principles laid down by the Court. Following the recommendations of the commission, the Central Government has reserved 27% seats in all recruitments to be made from 9th September, 1993.

Minority: It is recognized not only on the basis of religion, but also on the basis of language, script or culture. That means, it can be a *Religious Minority* (i.e. a minority based on religion) or *Linguistic Minority* (i.e. a minority based on language). It may not be out of place here to state that Article 30 has been criticized on the ground that the right to establish and administer educational institutions of their choice given to minority communities is denied to majority community. Again, since the term 'minority' has not been defined anywhere in the Constitution, and there are advantages in belonging to a minority community, groups within the majority Hindu community, such as the Arya Samaj in Punjab and Ramakrishna Mission in West Bengal have started claiming minority status.

Religious Minorities: Except Hinduism which has about 80% population in India, all other religions are considered as minorities, since they together make balance 20%. The minority religions are Islamic, Christianity, Jains, Buddhists, Parsees, Sikhs and Jews. Constitution of India provides following rights to the religious minorities:

- ▶ Right to establish educational institutions of their choice. They can maintain their own language and script for imparting education. The government facilities and funds as applicable to other institutes will be provided.
- ▶ There will be no discriminations in granting educational aid to minority institutions. There will also be no conditions for such grants.
- ▶ Constitution guarantees religious freedom. They can have their own prayer halls and prayer timings.
- ▶ No person can be discriminated against in the matter of public employment, on the ground of race, religion, or caste.

Our Constitution does not provide any reservation for religious minorities in elected bodies. This is done to avoid division of the society on religious grounds. Constitution has progressive look to give upliftment to the socio-economic backwardness than the one to be considered on religion based.

Linguistic Minorities: This is more predominant due to formation of linguistic States since 1953. The formation of States on language based started with 'Telugu' speaking in 'Andhra' in 1953. Since then by 1956, many other States were formed based on languages like Kannada, Tamil, Malayalam, Marathi, Gujarati, etc. By and large, this was a good and

successful method since people got a common subject for their unity in a State. A minor disadvantage was the cause and concern for linguistic minorities in border villages, towns and cities.

For about 50 to 100 kilometers across each State borders, there will be a lot of people speaking language of neighbouring State. Hence, it is felt necessary to help them to have freedom to learn in their own language and feel equal amongst the people of majority language. Some of the constitutional rights for linguistic minorities are as follows:

- ▶ Any section of the Indian citizens having a distinct language, script or culture of its own shall have the fundamental right to conserve the same. The State would not impose by law any other language or law belonging to the majority of the locality. This gives protection to both religious and linguistic minorities.
- ▶ The Constitution directs every State to provide adequate facilities for instruction in the mother tongue at the primary stage of education to children belonging to linguistic minority groups.
- ▶ A Special Officer for linguistic minorities shall be appointed by the President to investigate all matters relating to the safeguards provided for linguistic minorities under the Constitution (Article 350B).
- ▶ Parliament has enacted the National Commission for Minorities Act 1992 for monitoring the working of the safeguards provided in the Constitution and in Union and State laws.
- ▶ There shall be no discrimination against any citizen on the ground of religion, race, caste or language, in the matter of admission into educational institutions maintained or aided by the State.
- ▶ All minorities, based on religion or language, shall have the fundamental right to establish and administer educational institutions of their choice.

Short Questions

1. Enumerate the Fundamental Duties of the Citizens.

Long Questions

1. Briefly explain the six Fundamental Rights which are assured to all Citizens by the Indian Constitution.
2. Briefly discuss the Constitutional Provisions provided to the following:
 - (a) Scheduled Castes / Scheduled Tribes (Dalits)
 - (b) Women
 - (c) Children
 - (d) Other Backward Classes
 - (e) Religious Minority
 - (f) Linguistic Minority

IV

UNIT

PROVISIONS FOR STATE GOVERNMENT

Enforcing Rights through Writs – Public Interest Litigation – Directive Principles of State Policy – The need to balance Fundamental Rights with Directive Principles – Constitution and Sustainable Development

Writs

The *Article 32 (Clause 2)* empowers the Supreme Court to issue directions, orders or writs which may be appropriate. The FIVE writs enumerated are *Habeas Corpus, Mandamus, Prohibition, Certiorari and Quo warranto*.

1. *Habeas Corpus*: (Writ requiring person to be brought before judges) It literally means 'have his body'. By this writ, the court can cause any person who has been detained or imprisoned to be physically brought before the court. The court then examines the reasons of his detention. If there is no legal justification, he is set free. The Supreme Court has laid down that production of the body of the prisoner before the court is not an essential feature of the writ. Disobedience of this writ is punishable as contempt of court. Hence, this kind of writ is very powerful.
2. *Mandamus*: (Supreme Court's writ conveying command to lower Courts) It literally means a command or order. It is a command directing a person, corporation, inferior court or government or any public authority to do the thing or perform the act specified in the writ. The thing or act must be in the nature of a public duty. This writ is a wakening call. It tells the sleeping authority which refuses to perform a public duty. It is a writ which demands activity. It sets the authority in motion.
3. *Prohibition*: (Order that forbids something) This is the reverse of Mandamus. In case of Mandamus, the Supreme Court orders the Lower courts to be active whereas in case of Prohibition, it restricts or asks to be inactive. In other words, the object of the writ is to compel lower courts to keep themselves within the limits of the

jurisdiction. It must be noted that prohibition lies only against judicial or quasi-judicial functions (courts and tribunals). It does not lie against the legislative or executive functions. It cannot be issued against private persons or associations.

4. *Certiorari*: (Supreme Court issuing writ questioning decision of Lower court) It is used after the decision / action. The objective is to limit the role of a lower court to its jurisdiction. It can be issued only by a Superior Court. It is directed against the orders of an Inferior Court or Tribunal.
5. *Quo warranto*: (Writ regarding misuse of public offices) It is necessitated as some unlawful claimants seize by force (usurp) a public office. It literally is a question 'where is your warrant of appointment?' The Court by this writ examines the legality of the claim of a person to a public office or franchise. If he is not able to show his legal right, he may be ousted by the Court.

The various above discussed Writs distinguished from each other:

- ▶ *Mandamus* commands activity. *Prohibition* orders inactivity. *Prohibition* stops an authority in the middle of proceedings. It prevents usurpation of jurisdiction.
- ▶ *Mandamus* is generally addressed to administrative authorities. *Certiorari* and *Prohibition* generally control the courts and tribunals.
- ▶ *Certiorari* and *Prohibition* are instruments to control an inferior tribunal which has exceeded its jurisdiction or wrongly exercised its jurisdiction. *Mandamus* is issued against an inferior tribunal which has declined to exercise its jurisdiction.
- ▶ *Mandamus* may direct a tribunal to proceed according to law. *Certiorari* quashes the proceedings or removes the proceedings to itself on the ground of lack of jurisdiction or error apparent on the face of the record, etc.
- ▶ The grounds for issue of *Certiorari* and *Prohibition* are the same. *Prohibition* is issued at an earlier stage when the matter has not come to a close, to prevent the tribunal from going ahead. *Certiorari* lies where a tribunal after exercising jurisdiction where it had none or exceeding its jurisdiction where it had some, handed over a final decision.
- ▶ The object of *Prohibition* is prevention and *Certiorari* is prevention and cures both.
- ▶ *Mandamus* commands a person to perform a function which it is under a legal duty to perform. *Quo warranto* is an enquiry to ascertain whether a person holding an office has legal authority to do so. When he is not able to support his claim, he may be ordered to vacate.

Indian Citizenship

In order to link people to a government and to identify those who are members of a country, we have citizenship. There are FIVE methods of acquiring the citizenship of India as per the Citizenship Act of 1955. These are as follows:

1. *Citizenship by Birth*: Every person born in India on or after 26th January, 1950 shall be a citizen of India by birth. Those born before 1950, in the country are also entitled to Indian Citizenship.

2. *Citizenship by Descent:* A person born outside India on or after 26th January, 1950, shall be a citizen of India by descent, if the father is a citizen of India at the time of the person's birth.
3. *Citizenship by Registration:* A provision is made under law that several classes of persons can acquire Indian Citizenship by registering themselves before the President of India. For example, persons of Indian origin who have been residents in India for five years or persons who have married an Indian citizen can apply for Citizenship.
4. *Citizenship by Naturalization:* A foreigner can acquire Indian Citizenship as per the Indian law. The Citizenship so acquired is known as Citizenship by Naturalization.
5. *Citizenship by Incorporation of Territory:* If any new territory becomes a part of India, the people residing in that territory will acquire Indian Citizenship. For instance, in 1961 the rule of the Portuguese in Goa was overthrown. As a result, Goa became a part of India, and the residents of Goa became Indian citizens.

Loss of Indian Citizenship: The Citizenship Act of 1955 specifies THREE occasions when Indian Citizenship is lost, namely,

1. *By Renunciation:* An Indian can voluntarily renounce the Citizenship of India.
2. *By Termination:* When a citizen of India willingly acquires the Citizenship of another country, the person loses his Indian Citizenship.
3. *By Deprivation:* On certain occasions, a person can be deprived of his / her Citizenship by an order of the Government of India. For example, if the Indian Citizenship has been acquired by a person by fraud or the person has shown himself / herself to be disloyal towards the Constitution of India, that citizen can be deprived of Indian Citizenship.

Rights of a Citizen: Anyone who is the citizen of India has certain rights. Such rights include:

- ▶ *Right to Vote:* that is after the age of eighteen every individual, irrespective of his / her social background and economic status, has the right to vote in all elections (till 1988, it was 21 years – Article 326).
- ▶ *Right to hold Public Office:* every adult is also entitled to stand for elections and to hold positions.
- ▶ *Right to Property:* every individual has the right to own property.

Duties of a Citizen: Accompanying these rights of the citizenship, the following are also some duties that a citizen should perform:

- ▶ Obeying the Laws
- ▶ Being well-informed
- ▶ Casting votes during elections
- ▶ Understanding the problems of the country

Types of Persons

- ▶ *Citizens:* Persons who are full members of the State and who owe allegiance to it. They enjoy full civil and political rights.
- ▶ *Aliens:* Persons who are citizens of some other State. They are not entitled to all constitutional and other rights. Aliens may be friendly or enemy aliens. Enemy aliens are those whose country is at war with India.
- ▶ *Stateless Persons:* This category is very small and may not exist in some countries. They are persons who are not citizens of any country. They have only those rights which aliens have.

Human Rights by the Commission

- ▶ All are born free and have equal dignity / or rights.
- ▶ Everyone has the right to life, liberty and security of person.
- ▶ Everyone is entitled to all rights and freedom irrespective of race, religion, sex, language, or colour. No distinction shall be made on the basis of political or social origin, property or place of birth.
- ▶ No one shall be held in slavery or servitude; slavery and slave trading is prohibited in all forms.
- ▶ All are equal before the law and all laws are applicable to all equally.
- ▶ No one shall be subjected to arbitrary arrest, detention or exile.
- ▶ Everyone has a right to protect himself / herself against any criminal charges leveled against him / her.
- ▶ Everyone has the right to freedom of movement and residence within the borders of each state.
- ▶ Everyone has the right to nationality.
- ▶ Adult men and women have the right to start a family and enjoy all the family rights.
- ▶ Everyone has the right to have own property.
- ▶ Everyone has the right to freedom of thought, conscience and religion.
- ▶ Everyone has the right to take part in the government of his / her country.
- ▶ Everyone has the right to work to free choice of employment.
- ▶ No State or individual has a right to locate these rights which are Human Rights.

Public Interest Litigation

Sometimes, a Government or a Public Body violates the law, or indulges in suppressing or exploiting the citizens. Any citizen affected by such violations may directly complain to the Court. Such a letter of complaint is taken up as Public Interest Litigation by the Court. Without charging any Court fees, the Court inquires into the complaint. A writ petition under Public Interest Litigation can be filed by any public spirited individual or a social action group for the enforcement of the constitutional or legal rights of some other person or group of persons disadvantageously placed.

A writ petition under Public Interest Litigation is entertained by a High Court under Article 226 of the Indian Constitution or in the case of breach of any fundamental right by the Supreme Court under the Article 32 of the Indian Constitution. For filing a case under Public Interest Litigation, it is not necessary to file a regular writ petition where a case is filed through a lawyer. A case can be referred to a judge by just writing a letter. Sometimes, judges themselves have taken initiative in the cases, depending upon the reports in the newspapers or television.

The field of Public Interest Litigation is quite vast. It is extended to almost every walk of human life. It covers environment, prisons, police, social circumstances, municipal administration, human rights, legal aid, speedy trial, preventive detention, phone tapping, elections, etc.

The following are the possible areas where a Public Interest Litigation can be filed:

- ▶ Where a factory / industrial unit is causing air pollution and people nearby are getting affected.
- ▶ Where, in an area / street, there are no street lights causing inconvenience to the commuters.
- ▶ Where some 'Banquet Hall' plays a loud music, in nights causes noise pollution.
- ▶ Where poor people are affected because of the State Government's decisions to impose heavy taxes.
- ▶ For abolishing child labour, and bonded labour.
- ▶ Where rights of working women are affected by sexual harassment.
- ▶ For maintaining roads, sewages, etc in good conditions.
- ▶ For removal of big hoarding and signboards from the busy roads to avoid traffic problems.

In the following cases, Public Interest Litigation is not permitted

- ▶ It is not meant for enforcement of individual specific rights. The Supreme Court has made it clear that a person filing Public Interest Litigation must not do it for personal gain or for private profit.
- ▶ It should not be moved with political motive. A case under this must be for general social good and not for political groups or motives.

Directive Principles of State Policy

Our Constitution aims at the establishment of a Welfare State. To achieve this aim, the Constitution has framed certain principles and policies. It has also given certain directions to the state to serve as guidelines. Such guiding principles are known as Directive Principle of State Policy. Directive Principles of State Policies are also called as the 'Instrument of Instructions'. These principles are for the good governance of the country. These principles cannot be enforced in the courts.

The Directive Principles of State Policy is given under Part IV of the Constitution. This Part contains Articles from 36 to 51. These Articles deals with almost all the necessary duties

and functions to be done by the state. These Articles deals with education, environment, village panchayats, equal justice & free legal aid, the wages for workers, etc.

The Provisions / Articles of Directive Principles of State Policy are as follows:

1. Article 36: Defines the word 'State'
2. Article 37: Application of the Principles contained
3. Article 38: State to secure a social order for the promotion of welfare of the people
4. Article 39: Certain Principles of Policy to be followed by the State
5. Article 39A: Equal justice and free legal aid
6. Article 40: Organization of Village (Grama) Panchayats
7. Article 41: Right to work, to education and to public assistance in certain cases
8. Article 42: Provision for just and humane conditions of work and maternity relief
9. Article 43: Living wage and other welfare measures for the workers
10. Article 43A: Participation of workers in the management of industries
11. Article 44: Uniform Civil Code for the citizens
12. Article 45: Provision for free and compulsory education for children
13. Article 46: Promotion of educational and economic interests of Scheduled Castes, Scheduled Tribes and other Weaker sections
14. Article 47: Duty of the state to improve the level of nutrition, standard of living and to improve the public health
15. Article 48: Organization of agriculture and animal husbandry
16. Article 48A: Protection and improvement of environment and safeguarding of forests and wild life
17. Article 49: Protection of monuments and places and objects of national importance
18. Article 50: Separation of judiciary from executive
19. Article 51: Promotion of international peace and security

The Directive Principles may be grouped as follows

- a. Certain Ideals
- b. Certain Directions
- c. Certain Rights of Citizens

These rights are not Fundamental Rights and are not enforceable. The Directive Principles helps the State to implement some of the goals and ideals of the Constitution. The ideals, directions and rights of the citizens included under the Directive Principles of State Policy may be summarized as follows:

- ▶ *Social Justice*: Assuring social, economic and political justice to the citizens for the purpose of promoting their welfare.
- ▶ *Social Justice to the weaker sections of the society*: Providing adequate means of livelihood; preventing economic exploitation; giving facilities for their educational and economic development; and providing free legal aid.

- ▶ *Women and Child Welfare:* This includes equal pay for equal work; maternity relief to women; protecting children against exploitation, and providing opportunities for their healthy development; and giving free and compulsory primary education.
- ▶ *Labour Welfare:* Promoting the welfare of workers and giving them opportunities to participate in the management of industries.
- ▶ *Help to the Needy:* Public assistance to those who are unemployed, old and ill.
- ▶ *Development of Agriculture:* Organizing agriculture and animal husbandry modern lines and developing cottage industries.
- ▶ *Environment:* Protecting and improving the environment, so that natural resources and the flora and fauna can be sustained.
- ▶ *Protection and Maintenance of places of Historic interest:* Historical monuments are part of our heritage and the state must protect and maintain them.
- ▶ *Promotion of International Peace and Amity:* The State must develop good relations with all neighbouring States (Countries).

Principles

The Directive Principles are the basic principles of a new social and economic order or of a welfare State. These may be grouped under three categories i.e. Socialistic Principles, Gandhian Principles and Liberal Principles.

Socialistic Principles

- ▶ To secure and protect a social order which stands for the welfare of the people (Article 38).
- ▶ The State shall direct its policy towards securing: adequate means of livelihood to all citizens, a proper distribution of the material resources of the community for the common good, the prevention of concentration of wealth to the common detriment, equal pay for equal work for both men and women, the protection of the strength and health of workers and avoiding circumstances which force citizens to enter avocations unsuited to their age or strength, protection of childhood and youth against exploitation of moral and material abandonment (Article 39).
- ▶ The State shall secure equal justice and free legal aid to the poor (Article 39A).
- ▶ All people should get employment, education and public assistance in the case of unemployment (Article 41).
- ▶ To secure just human conditions of work and maternity relief (Article 42).
- ▶ Weaker sections of the society are given a proper care (Article 46).

Gandhian Principles

- ▶ State shall organize village panchayats as units of self-government (Article 40).
- ▶ To secure work, a living wage, a decent standard of life, leisure and social and cultural opportunities for people and in particular to promote cottage industries (Article 43).

- ▶ To promote with special care, the educational and economic interest of the weaker sections of the people, especially the scheduled castes and tribes (Article 46).
- ▶ To secure the improvement of the public health and the prohibition of intoxicating drinks and drugs (Article 47).
- ▶ To organize agriculture and animal husbandry on scientific lines and preserve and improve the breeds and prohibit the slaughter of cows, calves and draught cattle (Article 48).

Liberal Principles

- ▶ To secure a uniform civil code applicable to the entire country (Article 44).
- ▶ To provide within ten years from the commencement of the Constitution, free and compulsory education to all children up to the age of 14 years (Article 45).
- ▶ To protect all monuments of historical interest and national importance (Article 49).
- ▶ To bring about the separation of the judiciary from the executive (Article 50).
- ▶ To endeavour to secure, the promotion of international peace and security, the maintenance of just and honorable relations between nations, the settlement of international disputes by arbitration (Article 51).

Difference between Fundamental Rights and Directive Principles

Though the objective of both Fundamental Rights and Directive Principles are identical, there are significant differences between the two:

- ▶ Fundamental Rights are mostly political rights which tend to restrain the State. They are also called as negative rights. Articles 14 and 21 are negatively worded. Directive Principles are social rights in the form of positive obligations of the State and pertain to the economic field.
- ▶ The scope of the Fundamental Rights is limited but the Directive Principles cover a vast area.
- ▶ Fundamental Rights are justiciable. Courts protect them and compel the State to respect them. But Courts cannot direct the State to give effect to a Directive Principle. They are enforceable rights.
- ▶ Fundamental Rights are legally enforceable because they are guaranteed rights.

Comparison of Fundamental Duties with Directive Principles

Fundamental Duties are comparable to the Directive Principles. The Fundamental Duties are addressed to the citizens. The country expects them to perform certain Fundamental Duties as citizens. They are not spectators but active participants in attainment of national goals. The Directive Principles are goals setup by the Constitution for all governments. It is the duty of the state to apply these Directive Principles in making laws (as per Article 37). But in case a State does not implement a Directive Principle, it cannot be penalized. There is no legal sanction. The only sanction is public opinion. Similarly, the Fundamental Duties have no sanction attached. The citizen must introspect and endeavour to perform these duties. The sanction should be self imposed. They can not be enforced by the court.

India's Commitment to International Peace and International Law

International Law is nothing but Law of Nations. International Law composes of rules of conduct which States have volunteered to respect between themselves in relation to each other. These are certain rules of law governing States, their relationship with each other and their relationship with international institutions.

Principles of International Law

- ▶ Each State shall maintain Peace and Security
- ▶ Promotion of International Cooperation
- ▶ Promotion and Protection of Human Rights

No act of sovereignty can be performed in another State. It is the duty of India that it should not breach the international peace. Each State in its day today working is bound to respect International Law and Treaties. No State is allowed to threaten the territorial integrity and sovereignty of another sovereign State. It is the duty of every State to respect the treaties and do the necessary things with respect to these treaties.

In India, there is provision in the Constitution under Part IV, Directive Principles of State Policy for maintaining international peace and security. Article 51 provides for the promotion of international peace and security – The State shall endeavour to:

- ▶ Promote international peace and security,
- ▶ Maintain just and honourable relations between nations,
- ▶ Foster respect for international law and treaty obligations in the dealings of organized people with one another, and
- ▶ Encourage settlement of international disputes by arbitration.

Our National Symbols

- ▶ *National Flag*: It has three colours-deep saffron (kesari) at the top, white in the middle and dark green at the bottom. In the center of the white band is a navy blue chakra (wheel). The chakra has 24 spokes. It is rectangular in shape (Length : Breadth = 3 : 2). It should be either cotton or silk. The thread should be prepared manually and the cloth hand-made. The saffron stands for sacrifice; white for truth, peace and purity; and green for the evergreen earth as well as agricultural & industrial prosperity. The design of chakra is taken from the capital of the Ashokan Pillar at Sarnath. This is called Dharma Chakra i.e., Wheel of Law. It symbolizes constant movement.
- ▶ *National Anthem*: The song *Jana-gana-mana* was composed by Rabindranath Tagore in 1911 in the Bengali language. The playing time of full and short versions is approximately 52 and 20 seconds respectively.
- ▶ *National Calendar*: Also called as Rashtriya Panchanga, prepared by Meghnad Saha.
- ▶ *National Animal*: Tiger
- ▶ *National Bird*: Peacock
- ▶ *National Flower*: Lotus
- ▶ *National Tree*: Banyan
- ▶ *National Fruit*: Mango

There are some rules and regulations upon how to fly the flag, based on the 26th January, 2002 legislation. These include the following:

The Do's

- ▶ The National Flag may be hoisted in educational institutions (schools, colleges, sports camps, scout camps, etc.) to inspire respect for the Flag. An oath of allegiance has been included in the Flag hoisting in schools.
- ▶ A member of public, a private organization or an educational institution may hoist / display the National Flag on all days and occasions, ceremonial or otherwise consistent with the dignity and honour of the National Flag.
- ▶ Section 2 of the new code accepts the right of all private citizens to fly the Flag on their premises.

The Don'ts

- ▶ The Flag cannot be used for communal gains, drapery, or clothes. As far as possible, it should be flown from sunrise to sunset, irrespective of the weather.
- ▶ The Flag cannot be intentionally allowed to touch the ground or the floor or the trail in water.
- ▶ It cannot be draped over the hood, top, and sides or back of vehicles, trains, boats or aircraft.
- ▶ No other Flag or bunting can be placed higher than the Flag. Also, no object, including flowers or garlands or emblems can be placed on or above the Flag. The tricolour cannot be used as a festoon, rosette or bunting.

NOTE: The Parliament of India has adopted on 12th December, 2005, a new law to protect the National Flag and ban its uses deemed insulting. The use of National Flag on underwear or on any other clothing worn below the belt shall be forbidden. However, sports figures and others can wear India's orange, white, and green national colours on their T-shirts, caps and coats. The legislation makes it illegal to embroider national symbols on pillow cases and handkerchiefs. Also, use of National Flags made of plastic affects the dignity of the Flag as they are not biodegradable like the paper Flags and they cannot be destroyed for a long time. It is also harmful for the atmosphere. Having noticed large scale use of National Flags made of plastic, the Union Ministry of Home Affairs has asked all States and Union Governments to use only Flags made of paper on important national, cultural and sports events.

One of the spurious meanings of the Indian Flag states that the colour of *saffron / kesari* stand for Hindus, courage, sacrifice, patriotism (balidaan); *white* is for peace between Hindus and Muslims, purity, truth, simplicity and peace; and *green* is for Muslims, growth, auspiciousness, agriculture, farming and greenery; the *navy blue wheel* in the center is the Ashoka Chakra, the wheel of progress. In the center of the white band, there is a wheel in navy blue to indicate the Dharma Chakra, the wheel of law in the Sarnath Lion Capital. This Chakra is a symbol dating back to 2nd Century BC. Its diameter approximates the width of the white band and it has 24 spokes, which intends to show that there is life in movement and death in stagnation.

The Constituent Assembly which drew up the Constitution of India, adopted, on 22nd July, 1947, the tricolour as Independent India's National Flag. After a debate, the Dharma Chakra (of Emperor Ashoka) was included in the central white stripe of the Flag, instead of the Chakra (used symbolically by Gandhiji and also included in the Flag used by the Indian National Congress). The same Chakra adorns the State Emblem adapted from the Sarnath Lion Capital of Ashoka in addition to the motto from the Mundaka Upanishad, *Satyameva Jayate*, which means *Truth alone Triumphs*. The Chakra or wheel symbolizes the Power of the State governed by Dharma, which is the primordial Indian system of justice which is the bed-rock, not only of governance but of the socio-politico-economic edifice itself.

Emergency Provisions

Emergency Provisions of our Constitution enable the federal government to acquire the strength of a unitary system whenever the exigencies of the situation so demand. The Constitution provides for *three* different types of abnormal situations which call for departure from the normal governmental machinery: (Refer 44th Amendment Act, 1978)

1. **National Emergency:** Article 352 empowers the President to make a 'Proclamation of Emergency' if he / she is satisfied that the security of India or of any part of the territory of India is threatened by – war, external aggression, or armed rebellion.
 - First Proclamation–26th October, 1962 when Chinese aggression and revoked on 10th January, 1968
 - Second Proclamation–3rd December, 1971 was made on the ground of undeclared war by Pakistan
 - Third Proclamation–25th June, 1975 was made on the ground of internal disturbance given by Smt. Indira Gandhi

NOTE: The 2nd & 3rd Proclamations were revoked on 21st March, 1977

2. **State Emergency:** It is a situation arising out of failure of Constitutional Machinery in a State (Article 356). Constitution does not employ the word emergency for this situation.
3. **Financial Emergency:** It is a situation in which the financial stability of India is threatened (Article 360).

Effects of Proclamation of Emergency

It has wide range ranging effects on the polity. It brings about a change in the distribution of powers between the Union and the States. Powers of the Union increase considerably. The Fundamental Rights suffer an eclipse and the executive acquires unprecedented powers.

The effects of a Proclamation of Emergency may be discussed under five heads. Its effect on the following:

- ▶ *Extension of Executive Power:* While the Proclamation of Emergency is in operation, the Executive Power of the State extends to giving of directions to any State as to the manner in which the Executive Power of the State is to be exercised. If the Proclamation is confined to a specified area the power to give directions shall not

be limited to the States in that area. Directions may be given to the other States. Thus the State Governments are brought under the control of the Center.

- ▶ *Extension of Legislative Power:* While a Proclamation of Emergency is in operation, the Parliament gains the power to make laws with respect to many matters in the State List. The limitations imposed by State List are removed. The State continues to possess Legislative Powers but the powers become subject to the overriding powers of the Parliament. Parliament may act immediately in the interest of the Nation without waiting for a State to take necessary steps. In a way the Constitution becomes Unitary.
- ▶ *Effect on Distribution of Finances:* While a Proclamation of Emergency is in operation, the President is vested with the power to alter and modify the Provisions of the Constitution relating to the distribution of the revenues between the Union and the States. Such modification shall continue till the end of the financial year in which the proclamation ceases to operate. The changes are effected by the President by issuing an order. Every order is to be laid before each House of Parliament.
- ▶ *Effect on the Fundamental Rights:* Articles 358 and 359 describe the effect of the Proclamation of Emergency on the Fundamental Rights. Article 358 removes all fetters put on the State by Article 19. The State may make a law abridging any of the freedoms conferred by Article 19.
- ▶ *Miscellaneous Effects:* While Proclamation of Emergency is in operation, the Parliament may by law extend the duration of Lok Sabha for a period not exceeding one year at a time. But the period shall not exceed beyond six months after the proclamation has ceased to operate. During the Emergency imposed by Smt. Indira Gandhi, the life of the Lok Sabha was extended by one year (Amendment Act 109 of 1976).

Effects of National Emergency

At the time of national emergency, the country almost loses its federal structure and becomes unitary in form as the Parliament vests maximum powers with it.

- ▶ Parliament can make laws for the whole of the country or any part of the country which has been kept under emergency with respect to any matter in the State List.
- ▶ If a law passed by the Parliament is in conflict with the state law, then the central law prevails.
- ▶ The President is entitled to issue an ordinance regarding a state subject even if the Parliament is not in session.
- ▶ The Parliament is authorized to make the laws, delegate powers and impose duties on Government of India and its Officers, as to carry out the laws made by it.
- ▶ The union Government can issue directions or give instructions to any state government in exercising its executive powers.
- ▶ Changes can be made in the allotment and distribution of revenues between the union and the State by the President.

- ▶ The Fundamental Rights can be suspended and their enforcement by the Supreme Court and other Courts of Law stand suspended. Thus making the people restrict the enjoyment of the Fundamental Rights.

Effects of State Emergency

- ▶ The President is empowered with all the functions of the State Government or he may confer the authority and powers to the Governor of the State and Administrator in the case of Union Territories to conduct the administration.
- ▶ The Parliament has authority to make the law on the items in the State List.
- ▶ Parliament is also empowered to authorize the President to issue an order to sanction expenditure from the Consolidated Fund of the State, subject to the approval of the Parliament later.
- ▶ The President delegates special powers to the Union or State servants for the smooth running of the administration of the State.
- ▶ The powers and jurisdiction of the High Court does not come under Article 356.

(NOTE: The President's Rule has been imposed more than 108 times under this Article 356 were imposed on the following conditions to dismiss unwanted State Governments:

- ▶ On the ground of political instability.
- ▶ Breakdown of the law and order.
- ▶ Due to corruption and maladministration.
- ▶ To control and stop opposition and unwanted parties from forming governments both before and after elections.
- ▶ While creating new States.

Effects of Financial Emergency

- ▶ During the financial emergency, "the executive authority of the Union shall extend to the giving of directions to any state to observe such canons of financial property as may be specified in the direction" which the President may think necessary for the purpose.
- ▶ The President may direct to make necessary cut or reduction in the salaries and allowances of all government servants which include the salaries of Judges of Supreme Court and High Courts.
- ▶ The President can veto the Money Bills of the States which means the Money Bill or Financial Bills passed by the State Legislatures are reserved for the consideration of the President.

(NOTE: However, the Financial Emergency has not been proclaimed so far, by the President)

Short Questions

1. Briefly explain the process of attaining and losing the Indian Citizenship.
2. Write short notes on Human Rights by the Constitution of India.
3. Explain the concept of Public Interest Litigation.
4. Enumerate briefly Emergency Provisions.

Long Questions

1. Describe the Fundamental Rights which are enforced through Writs.
2. Discuss briefly Directive Principles of State Policy with various Principles.

V

UNIT

DOCTRINE OF FEDERAL CONSTITUTION

Doctrine of Separation of Powers – Legislature, Executive and Judiciary and their Composition and Functioning in India – Features of Indian Federalism – Center-State Relations – Public Service Commissions

IMPORTANT NOTE: Doctrine of Separation of Powers – Legislature, Executive and Judiciary and their Composition and Functioning in India: Detailed discussion was in Unit - II.

Features of Indian Federalism

The basic principle of Federation is that the Legislative and Executive authority is partitioned between the Center and the States not by any law to be made by the Center. This is the principle embodied in Indian Constitution. It is generally regarded that in a Federation governmental functions are shared by the Central or Federal government and the State governments. These two governments are coordinate and independent of each other.

A Federal Constitution generally possesses the following *five* characteristics:

- ▶ Dual or two sets of governments: In a unitary State as the name indicates there is only one government, i.e. the national government. In a federation, two sets of governments co-exist, i.e. the national (or union or central or federal) and state governments. These two governments derive their powers from the same source (the Constitution) and are controlled not by the other but by the Constitution.
- ▶ In order to make the distribution clear and permanent, it must be reduced to writing and must be made amendable to amendments and changes by observing the procedure laid down in the Constitution itself.
- ▶ Constitution is regarded as a higher law which is there for the Union and States to obey and honour. None of the Units (Union and States) has the authority to override

or disregard the Constitution. In some cases, the Union may have overriding powers but in relation to the divisions of power. Federal Constitutions guard attentively the distribution of powers and do not tolerate encroachments.

- ▶ Rigidity does not mean that the Constitution is not subject to any change and must remain in the same static condition. The amending process should lay down as a precondition the concurrence of both. Our Constitution provides amendment by a special majority at the Union followed by at least half of the States.
- ▶ In a federation, there is possibility of a State encroaching upon the field of another State. There is also the possibility of the Union trespassing on the rights of one or more States as also the States purporting to exercise the functions of the Union. To take care of such contingencies, a federation contemplates an independent judicial body which will decide the rights of the Units and keep them confined within their limits. The Courts have the last word in regard to questions involving the interpretation of the Constitution.

There are certain provisions contained in the Constitution which are departure from the federal principle or to put it in another way it may be called Indian modification of the federal principle.

- ▶ One Constitution for the States – In India, the Act of 1935 created autonomous units and forged them into a federation. Both were created by the same Act. Our Constitution has been framed by the people of India and not by the States. It is not the result of agreement. The American Union was formed by voluntary agreement among a number of sovereign States. The object was to create a national government that would look after their common interest and to attain the objective they surrendered a part of their rights.
- ▶ Single citizenship – India has like Canada in terms of single citizenship. But United States of America and Australia is having dual citizenship (National and State). Thus in America an American is a citizen not only of a State in which he resides but also of the United States.
- ▶ In India, the Union is indissoluble but not so the States. No State can secede. The Union may alter the boundaries of any State, create a new State by separation or merger of two or more States. It may change the name of any State. The process of territorial change can be brought by simple legislation and does not require special majority in the Parliament or consent of the States.
- ▶ The distribution of legislative power is done by Articles 245 and 246 read with the 7th Schedule. The Schedule has 3 Lists, the Union List (99 Subjects), the State List (61 Subjects) and the Concurrent List (52 Subjects). All residuary powers are vested in the Union.
- ▶ The Union has the power to issue directions to a State to ensure compliance with the laws as per Article 256. On failure to comply with such directions, the President may assume to him / herself all the functions of the Government of that State.
- ▶ The Governor of a State is appointed by the President and holds office during his / her pleasure. He / she is not responsible to State. Through him / her, the Center exercises an amount of control (Article 155).

- ▶ Where a financial emergency has been proclaimed under Article 360, the power of the Center enlarges. It may even issue directions requiring all Money Bills and some other Bills to be reserved for the consideration of the President.
- ▶ The All India Services are created by the Center which alone has the power to regulate the recruitment and conditions of service of the persons appointed to the service. But such persons are paid and serve the State to whose cadre they belong. Thus the Center exercises an amount of control over the State bureaucracy.
- ▶ Judges of a State High Court are appointed by the President in consultation with the State Governor and other functionaries.
- ▶ An essential feature of American federalism is the equality of representation of the States in the Senate irrespective of their population or size. It is considered to be a safeguard for small States. In India, the membership varies from 1 to 34, depending on the population. Apart from this, 12 members are nominated by the President.

Center-State Relations

India is a federation having a federal Constitution. In a federation, there are two sets of Governments. All powers are divided among them. The Constitution divides all powers between the two – The Union and the States. It is the mark and essential feature of a federal polity that powers are divided and distributed between the Union Government and the States.

The Constitution of India provides for a polity with clearly defined spheres of authority between the Union and the States to be exercised in the fields assigned to them. There is an independent Judiciary to determine issues between the Union and the States or among States to be exercised in fields assigned to them respectively. The Indian Constitution is basically federal in nature though the word '*federation*' is nowhere used. The Constitution provides for a unifying central entity holding together a number of constituent units with all their diversity enjoying autonomy in their given sphere. It is a political system with extra authority and responsibilities to the Center in selected matters and many ways.

The Administrative Reforms Commission, the Rajamannar Committee and the Sarkaria Commission all went into the working of the existing consultative mechanisms and assessed the requirements of the prevailing discords and strongly pleaded for setting up of an Inter-State Council with a comprehensive mandate. They have categorically observed that piecemeal departmental bodies have not served the purpose of a truly federating consultative body and that the remedies lies in nothing short of setting up of an Inter-State Council envisaged under Article 263 of the Constitution.

- ▶ *Administrative Reforms Commission*: The report on Center-State Relations submitted in 1969, constituted as per Article 263 to cover problems relating to or arising out of the Constitution, Legislative Enactments, Administration and Finance. It consists of the Prime Minister as Chairman and the Union Home Minister, the Union Finance Minister, Leader of the Opposition in the Lok Sabha and five representatives, one each from the five Zonal Councils, as Members.
- ▶ *Rajamannar Committee*: A Center-State Relations Inquiry Committee was set up by the then DMK Government of Tamil Nadu on 2nd September, 1969 under the

Chairmanship of Dr. P. V. Rajamannar to consider the entire question regarding relationship that should subsist between the Center and the States in a federal set up. The Committee in its report recommended that 'The Inter-State Council should be constituted immediately' and that "no decision of national importance or which may affect one or more States should be taken by the Union Government except after consultation with the Inter-State Council". The Committee further recommended that "every Bill of national importance or which is likely to affect the interests of one or more States should, before its introduction in Parliament, be referred to the Inter-State Council and its views thereon should be submitted to the Parliament at the time of introduction of the Bill".

- ▶ *Sarkaria Commission*: It went at considerable length into the justification for establishing a permanent Inter-State Council as an independent national forum for consultation with a mandate well defined in accordance with Article 263. It recommended that for coordination of policies and implementation in a dual polity specially in view of large areas of common interest and shared action requires a sustained process of contact, consultation and interaction, for which a proper forum is necessary. It observed that executive powers of the Union and States overlap in many areas and as such division of matters in the Union List and State List is not absolute. Several entries overlap. Then in implementation of its laws and policy, Union is largely dependent on State administrations. Union and States can entrust their executive functions to each other. States are dependent on Union for fiscal resources and in many administrative matters. Interdependence is indispensable in a diverse and developing society. Institutionalized and sustained consultation is indispensable in view of this interdependence. It recommended setting up of a Council under Article 263 of the Constitution for this purpose.
- ▶ *Miscellaneous Inter-State Consultative Forums*: With the growing complexity of problems on Center-State Relations, a few consultative bodies were set up to review the policy and other related matters and to arrive at a consensus on different contentious issues after adoption of the Constitution. While most of these bodies were set up under executive orders, some were constituted under Article 263 of the Constitution:

The bodies, which were set up under the executive orders, are as under:

- National Development Council
- National Water Resources Council
- Indian Labour Conference
- Advisory Council on Food Grains Management and Public Distribution System
- Mineral Advisory Council
- State Programming Board – Geological Survey of India
- Drugs Consultative Committee
- Central Advisory Board of Education
- Central Council of Health
- Central Council of Local Self Government

- Council for Sales Tax and State Excise Duties — for each of Northern, Eastern, Western, and Southern Zones
- Transport Development Council
- Central Council for Research in Ayurveda, Unani, Homeopathy, Yoga and Nature Cure
- Central Family Welfare Council
- Inter-State Council

The powers which are so shared are generally of *four* types:

- ▶ Legislative Relations
- ▶ Administrative / Executive Relations
- ▶ Financial Relations
- ▶ Judicial Relations

Legislative Relations: The division of legislative powers between the Union and the States is a characteristic of all federal Constitutions though the actual distribution varies from country to country and depends on the historical and political forces operating in the country. But the common factor visible in all Constitutions is that the division is with reference to,

- (a) The territory over which the Union and the States will exercise authority
- (b) The subjects over which their authority will extend

Article 245 defines the territorial limits of the legislative powers vested in the Union and the States. Article 246 defines the powers of the Parliament and the States legislatures with regard to the subject matter or topics of legislation. Parliament may make laws for the whole or any part of the territory of India. The State Legislature may enact laws for the whole or any part of the State.

Administrative / Executive Relations: It is a delicate balancing act. The national interest is to be balanced with the autonomy of the States. Our Constitution contains detailed provisions to avoid conflict and promote harmony. Articles 256 to 263 provide for Union control over the States even in normal conditions. The Union may give directions to a State,

- ▶ To ensure compliance with laws made by the Parliament (Article 256)
- ▶ To ensure that the exercise of the Executive power of the State does not interfere with the exercise of the Executive power of the Union (Article 257)
- ▶ To ensure construction and maintenance of means of communication of national importance including National Highways and Waterways
- ▶ To ensure protection of Railways
- ▶ For providing facilities for instructions in mother tongue at primary levels (Article 350A)
- ▶ To ensure that every State is run in accordance with the provisions of the Constitution (Article 355)

- ▶ To draw and execute schemes relating to welfare of Scheduled Tribes (Article 339)
- ▶ Payment by the Union of grants-in-aid of revenues of the States (Article 275)
- ▶ The Officers of the All India Services are allotted to a State cadre but are controlled by the Union

Financial Relations: Our Constitution contains detailed provisions allotting financial resources between the Union and the States. It has provided a complex mechanism to make the distribution of financial resources equitable. Care has been taken to ensure that the division is not permanent and for all times but is subject to review and adjustments at regular intervals. The Constitution makes a distinction between power to levy and collect tax and appropriate the tax so collected. Income Tax may be levied and collected by the Union but the proceeds of the Income Tax are to be shared by the Union and the States. No tax may be levied or collected except by authority of law (Article 265). Tax cannot be imposed by executive order. It can be levied only by an Act of Appropriate Legislature. The law must be a valid law.

Judicial Relations: In India, there is a unified judiciary. In other words, the judicial power has not been divided between the Union and the States. There is a common set of courts for the States as well as the Union. Any violation in the procedures of above, the courts shall interfere and make the system perfect.

Inter-State Council: To bring about meaningful cooperation among the States, Article 263 contemplates establishment of an Inter-State Council. The Sarkaria Commission recommended the setting up of an Inter-State Council for resolving Center-State problems which is a recommendary body. The Council has been established by an order dated 28th May, 1990. It consists of the Prime Minister, the Chief Ministers of all States and Union Territories and six Union Ministers of cabinet rank. A Minister of State with independent charge may be invited if there is in the agenda a matter pertaining to his / her department. The Prime Minister is the Chairman of the Council. It is required to meet thrice a year. After its establishment there exists a forum for inter-governmental consultation, coordination and cooperation. The duties of the Council are:

- ▶ Investigating and discussing such subjects in which one or more of the States have common interest
- ▶ To make recommendations upon such a subject and for better coordination of policy and action in respect to that subject
- ▶ Deliberating on such matters of general interest to the States as may be referred by the Chairman

All India Services

Article 312 provides for the creation of All India Services. It is different from both the Union and the States Services. It has been pointed out under Article 309; the States are entitled to create their own Civil Services and lay down their own conditions of service just as the Union is entitled to create its own services, make recruitment and lay down conditions of service. Thus, while Article 309 provides for separate jurisdictions for the Union and the

States, Article 312 takes away to some extent the autonomy of the States in this field by vesting in the Union, the authority to create All India Services.

All India Services are instruments of national consolidation and unity. They ensure the maintenance of common standards all over the country in fields of administration. They facilitate the existence of a hard core of officials in every State who, because of their membership in a service which falls, within the jurisdiction of the Union, feel more free and independent to act with a national outlook and keeping in view the national interests. The following are the number of Central Services provided by the Union:

- ▶ Indian Administrative Service
- ▶ Indian Police Service
- ▶ Indian Service of Engineers
- ▶ Indian Forest Service
- ▶ Indian Medical & Health Service
- ▶ Indian Foreign Service
- ▶ Indian Posts & Telegraph Accounts and Finance Service
- ▶ Indian Audit and Accounts Service
- ▶ Indian Defence Accounts Service
- ▶ Indian Income-tax Service
- ▶ Indian Railway Accounts Service
- ▶ Indian Customs and Central Excise Service
- ▶ Transportation (Traffic) and Commercial Departments of the Superior Revenue Establishment of Indian Railways
- ▶ Military Lands and Cantonment Service
- ▶ Indian Postal Service
- ▶ Central Engineering Service
- ▶ Indian Railways Service of Engineering
- ▶ Superior Telegraph Engineering and Wireless branches of the Indian Posts & Telegraph Department
- ▶ Central Secretariat Service
- ▶ Central Information Service
- ▶ Indian Ordnance Factories Service

Public Service Commission

In a large country like India which has linguistic, caste and religious divisions, where Government is the largest employer and people attach power and prestige to government service, it is all the more necessary to ensure fair play in recruitment to maintain unity of the country and efficiency of administration. To provide an instrumentality which will be a body of experts and which will work independently in a just and fair manner withstanding pressure and influence, the Constitution created the various Public Service Commissions. The Constitution envisages a Public Service Commission for the Union and one for each State.

If two or more States agree that there should be a joint Public Service Commission for them and their legislatures pass resolutions, to that effect, then Parliament may by law appoint a Joint State Public Service Commission to serve their needs. The Union Public Service Commission may if requested by the Governor of a State, with the approval of the President agree to serve all or any of the needs of a State (Article 315).

A Commission consists of a Chairman and a number of Members. The number of Members and the conditions of service shall be determined in the case of Union Public Service Commission or a Joint Commission by the President and in the case of a State Public Service Commission by the Governor. This is applicable even for resigning of both Chairman and Member respectively. This is done by making regulations. No qualifications are prescribed for being a Chairman or Member. But it is laid down in Article 316 that as nearly as may be one-half of the members of every Commission shall be persons who have held office under the Government of India or of a State for 10 years. A member of a Commission holds office for a term of 6 years from the date he / she enters upon the Office or until attains the age of 65 years in the case of Union Public Service Commission and 62 years in the case of State Commission or a Joint Commission.

The Constitution seeks to maintain the independence of members. This is sought to be achieved in several ways:

- ▶ The Chairman and Members do not hold Office during pleasure. They hold it for a fixed term.
- ▶ A Member may be removed only by the President and that too on the grounds and in the manner provided in the Constitution.
- ▶ The conditions of service of a Member shall not be varied to his / her disadvantage after their appointment.
- ▶ The expenses of the Commission are charged on the Consolidated Fund of India or of the State.
- ▶ A Member on the expiration of his / her term is ineligible for reappointment.
- ▶ A Member is prohibited from taking employment under the Government after ceasing to be a Member.

Functions of the Commission: Article 320 lays down the functions of a Public Service Commission. Article 321 provides that the Parliament or a State Legislature may add to the list of functions. The functions are of two types: (a) Duties and (b) Advisory functions.

- (a) Duties of a Public Service Commission:
- To conduct examinations for appointment to the Services of the Union (in case of Union Public Service Commission) and the Services of the State (in case of State Public Service Commission).
 - It is the duty of the Union Public Service Commission if requested by two or more States to assist those States in framing and operating schemes of joint recruitment for any services requiring special qualifications.
 - Any matter that may be referred by the President or the Governor for advice.

- (b) *Advisory functions of a Public Service Commission:* It may be consulted:
- On all matters relating to method of recruitment to civil services and civil posts.
 - On the principles to be followed in making appointments to civil services and posts, in making promotions and transfers from one service to another and on the suitability of such candidates.
 - On all disciplinary matters affecting a person under the Government in a civil capacity which includes memorials and petitions relating to such matters.
 - On any claim for the award of a pension in respect of injuries sustained by a person while in the government service in a civil capacity.

Administrative Tribunals

In Part XIV -A, an innovative provision 'Administrative Tribunals' was made, which consists of two Articles 323A and 323B (Adopted by the Forty Second Amendment of the Constitution). The basic objective of Administrative Tribunal is to take out of the purview of the regular courts of law certain matters of dispute between the citizen and government agencies and make the judicial process quick and less expensive.

Section (1) of Article 323A provides for the adjudication or trial by Administrative Tribunals of disputes and complaints with respect to recruitment and conditions of service of persons appointed to public services and posts in connection with the affairs of the Union or of any State or of any local or other authority within the territory of India. The power to constitute such Tribunals is vested exclusively in the Parliament.

Section (2) of the same Article provides that a law made by the Parliament under Section (1) may:

- ▶ Provide for the establishment of an Administrative Tribunal for the Union and a separate Administrative Tribunal for each State or for two or more States
- ▶ Specify the jurisdiction, powers and authority which may be exercised by such Tribunals
- ▶ Provide for the procedure to be followed by these Tribunals
- ▶ Exclude the jurisdiction of all courts except the special jurisdiction of the Supreme Court under Article 136

Article 323B empowers the Parliament or State Legislature to set up Tribunals for matters other than those covered by Clause (2) of Article 323A. The matters to be covered by such Tribunals are as follows:

- ▶ Levy, assessment, collection and enforcement of any tax
- ▶ Foreign exchange, import and export across custom frontiers
- ▶ Industrial and labour disputes
- ▶ Matters connected with land reforms covered by Article 31A
- ▶ Ceiling on urban property
- ▶ Election to either House of Parliament or Legislatures of the States
- ▶ Production, procurement, supply and distribution of foodstuffs or other essential goods

Short Question

1. Describe how the Center-State Relations can be maintained.

Long Questions

1. Discuss briefly the Indian Federalism.
2. Explain the concept of Public Service Commissions at the Union and the States.

Multiple Choice Questions

I. PREAMBLE AND EVOLUTION OF INDIAN CONSTITUTION

1. Who is the person fondly known as the Chief Architect of the Indian Constitution?
(a) Dr. B. R. Ambedkar (b) Dr. Rajendra Prasad
(c) Pandit Jawaharlal Nehru (d) Sri M. K. Gandhi
2. First attempt in world to constitute a Constituent Assembly to frame a Constitution was made by
(a) Russia (b) France (c) Britain (d) America
3. The first attempt by Indians to write a Constitution to India was done by a Committee headed by Motilal Nehru, which is known as
(a) Swaraj Report (b) Nehru Report (c) The White Paper (d) None of these
4. The idea of the Constitution of India was flashed for the first time by
(a) B. R. Ambedkar (b) M. N. Roy (c) M. K. Gandhi (d) None of these
5. The plan of setting up of a Constituent Assembly to draw up the future Constitution for India was given by
(a) The Cabinet Mission Plan (b) Independence Act, 1947
(c) Wavell Plan (d) None of these
6. The members of the Constituent Assembly were
(a) Elected by Provincial Assemblies (b) Elected directly by the people
(c) Nominated by the Government (d) Represented by the Princely States
7. Which of the following word was added into the Preamble of the Constitution by the 42nd Amendment Act, 1976?
(a) Federal (b) Sovereign
(c) Socialist (d) Republic

8. From which Constitution was a concept of a 5-year plan borrowed into our Constitution?
(a) Ireland (b) USA (c) UK (d) USSR
9. The procedure of Amendment to the Constitution is borrowed from the Constitution of
of
(a) USA (b) South Africa (c) Australia (d) Britain
10. Which country is the best example for the Federal and Unitary Governments?
(a) America and Britain (b) Britain and America
(c) India and Russia (d) Canada and Australia
11. Which of the following is not a Democratic Institution of the Rig Vedic era?
(a) Vidatha (b) Samithi (c) Grama (d) Sabha
12. During Medieval India, which kings first established 'Local Self Government'?
(a) Nolambas (b) Pallavas
(c) Rayas of Vijayanagara (d) Cholas
13. The East India Company was established in the year
(a) 1857 (b) 1600 (c) 1755 (d) 1873
14. Which Charter empowered the British Governors of Presidencies to make Bye-Laws, Rules, Regulations in conformity with the British laws?
(a) Charter of 1726 (b) Charter of 1683
(c) Charter of 1677 (d) Charter of 1600
15. Who started Dual Government in Bengal?
(a) Lord Cornwallis (b) Warren Hastings
(c) Robert Clive (d) Lord Dalhousie
16. Who is the first Governor General of Bengal?
(a) Lord Cubbon (b) Lord Cornwallis
(c) Lord Hastings (d) Warren Hastings
17. Which is the first written document in the Constitutional History of India?
(a) The Regulating Act, 1773 (b) The Pitts India Act, 1784
(c) The Charter Act of 1793 (d) The Charter Act of 1813
18. Which Act created for the first time in India 'Government of India'?
(a) Charter Act of 1813 (b) Charter Act of 1833
(c) Charter Act of 1793 (d) The Act of 1786

19. Which Act created for the first 'The Supreme Court'?
- (a) The Act of 1786 (b) The Pitts India Act, 1784
(c) The Amending Act, 1781 (d) The Regulating Act, 1773
20. First Law Commission was appointed in India for codification of laws under the Chairmanship of
- (a) Lord Sinha (b) Lord Hastings
(c) Lord Macaulay (d) Lord Wellesley
21. Which Act made the beginning of a Parliamentary System in India?
- (a) Charter Act of 1853 (b) Charter Act of 1833
(c) Charter Act of 1813 (d) The Act of 1786
22. Under which of the following Act, the Crown of England took the affairs of the Government of India into its own hands?
- (a) Government of India Act, 1935 (b) Government of India Act, 1858
(c) Indian Councils Act, 1861 (d) Indian Councils Act, 1909
23. The Governor General of India was also the representative of British Crown to Princely States in India and hence was known as the
- (a) Director of India (b) Secretary of State of India
(c) Commander of India (d) Viceroy of India
24. Which Act for the first time gave an opportunity for Indians to enter into the sphere of Legislature?
- (a) Indian Councils Act, 1861 (b) Indian Councils Act, 1909
(c) Indian Councils Act, 1892 (d) Charter Act, 1813
25. Which Act made the beginning of Electoral System in India?
- (a) Government of India Act, 1935 (b) Indian Councils Act, 1861
(c) Government of India Act, 1858 (d) Charter Act, 1813
26. Which of the following Act made the Indian Legislature Bi-cameral for the first time?
- (a) Government of India Act, 1919 (b) Government of India Act, 1935
(c) Indian Councils Act, 1909 (d) Indian Independence Act, 1947
27. The famous Dandi March laid by Gandhiji was against
- (a) British Rule (b) Salt Tax (c) Untouchability (d) None of these
28. Which proposal was referred as 'Post Dated Cheque'?
- (a) The Cabinet Proposal (b) The August Offer
(c) The Cripps Proposal (d) None of these

29. Indian National Congress started 'Quit India Movement' after the failure of
(a) Sepoy Mutiny (b) August Offer
(c) Wavell Plan (d) Cripps Mission
30. Gandhiji gave a call to all Indians 'Do or Die', which is popularly known as
(a) Salt Satyagraha (b) Independence Movement
(c) Garibi Hatoah (d) Quit India Movement
31. Which Plan rejected the demand for the independent Pakistan?
(a) Wavell Plan (b) Cripps Proposals
(c) Cabinet Mission Plan (d) None of these
32. Partition of British India into two independent nations India and Pakistan was done according to
(a) Wavell Plan (b) Mountbatten Plan
(c) Cabinet Mission Plan (d) None of these
33. The Federal features of the Indian Government was introduced by the
(a) Government of India Act, 1935 (b) Government of India Act, 1919
(c) Indian Councils Act, 1909 (d) Indian Independence Act, 1947
34. Which feature was borrowed by the Indian Constitution from the British Constitution?
(a) Law making procedure
(b) Parliamentary System of Government
(c) Rule of law
(d) All of the above
35. The Constitution supports
(a) Rule of Law (b) Rule of Men
(c) Rule of Individuals (d) None of these
36. In Britain, Parliament is supreme; accordingly which among the following is supreme in India?
(a) Executive (b) Legislature (c) Constitution (d) Judiciary
37. The Government of India Act 1935 provided for
(a) Establishment of Federal Court (b) Diarchy at Center
(c) Provincial autonomy (d) All of these
38. The Act of 1935 abolished
(a) Provincial Autonomy (b) Diarchy in the Provinces
(c) Diarchy at Center (d) None of these

39. The Constitution of India was enacted by a Constituent Assembly set up
- (a) Under the Cabinet Mission Plan, 1946
 - (b) Under the Indian Independence Act, 1947
 - (c) Through a resolution of Provisional Government
 - (d) By Indian National Congress
40. The Constituent Assembly of India was created as per the proposal of
- (a) Simon Mission
 - (b) Cripps Mission
 - (c) Cabinet Mission
 - (d) Indian National Congress
41. In which year did the Cripps Mission come to India?
- (a) 1935
 - (b) 1949
 - (c) 1945
 - (d) 1942
42. The Constituent Assembly set up under the Cabinet Mission Plan had a strength of
- (a) 411
 - (b) 389
 - (c) 298
 - (d) 487
43. The strength of the Constituent Assembly, after the withdrawal of the Muslim League, was reduced to
- (a) 331
 - (b) 329
 - (c) 299
 - (d) 359
44. How many Committees were set up by the Constituent Assembly for framing the Constitution?
- (a) 9
 - (b) 13
 - (c) 17
 - (d) 7
45. Who of the following acted as the Constitutional Advisor to the Constituent Assembly?
- (a) B. N. Rau
 - (b) Ambedkar
 - (c) Rajendra Prasad
 - (d) Sachidananda Sinha
46. Demand for a Constitution, framed by a Constituent Assembly was made by
- (a) Nehru
 - (b) Gandhiji
 - (c) Ambedkar
 - (d) Rajendra Prasad
47. The idea of a Constituent Assembly to frame a Constitution for India was first mooted by
- (a) Muslim League in 1942
 - (b) Indian National Congress in 1936
 - (c) Swaraj Party in 1928
 - (d) All Parties Conference in 1946
48. Who started with presentation of the '*Objective Resolution*' on 22.01.1947?
- (a) Gandhiji
 - (b) Ambedkar
 - (c) Rajendra Prasad
 - (d) Jawaharlal Nehru
49. When was the '*Objective Resolution*' moved and adopted?
- (a) 13.12.1946 and 22.01.1947
 - (b) 13.12.1946 and 29.08.1947
 - (c) 13.12.1946 and 26.11.1949
 - (d) None of these

50. The Members of the Constituent Assembly were
- (a) Elected by Provincial Assemblies
 - (b) Nominated by the rulers of the Indian States
 - (c) Directly elected by the people
 - (d) Nominated by the Indian National Congress
51. The Constituent Assembly of India held its first meeting on
- (a) 26.01.1948
 - (b) 16.08.1947
 - (c) 26.11.1947
 - (d) 09.12.1946
52. Which one of the following acted as the Provisional President of the Constituent Assembly?
- (a) Rajendra Prasad
 - (b) Rajagopalachari
 - (c) Sachidananda Sinha
 - (d) Jawaharlal Nehru
53. The Constituent Assembly elected on 11.12.1946 as its Permanent Chairman
- (a) Jawaharlal Nehru
 - (b) Rajendra Prasad
 - (c) Ambedkar
 - (d) K. M. Munshi
54. Who elected the Chairman of the Drafting Committee of the Constituent Assembly?
- (a) Rajagopalachari
 - (b) Jawaharlal Nehru
 - (c) Rajendra Prasad
 - (d) B. R. Ambedkar
55. The Chairman of the Drafting Committee to prepare a Draft Constitution of India was
- (a) Jawaharlal Nehru
 - (b) B. R. Ambedkar
 - (c) Rajendra Prasad
 - (d) Radhakrishnan, S.
56. The name of Dr. B. R. Ambedkar is associated with which of the following?
- (a) Chairman-Drafting Committee
 - (b) Chairman-Constituent Assembly
 - (c) Lahore Session
 - (d) None of these
57. Who among the following was not a member of the Drafting Committee?
- (a) Ambedkar
 - (b) Gopalachari Ayyangar
 - (c) Rajendra Prasad
 - (d) Alladi Krishnaswami
58. Many Provisions in our Constitution have been borrowed from the Government of India Act
- (a) 1947
 - (b) 1935
 - (c) 1940
 - (d) 1919
59. The Government of India Act 1919 introduced a system of diarchy in the provinces. 'Diarchy' means a system of
- (a) Responsible government
 - (b) Bureaucratic government
 - (c) Double government
 - (d) None of these

60. When was the Constituent Assembly established to form the Constitution?
(a) 26.12.1946 (b) 06.12.1946 (c) 10.06.1946 (d) 26.11.1949
61. The Constitution of India was adopted on
(a) 31.12.1949 (b) 26.01.1950 (c) 26.01.1949 (d) 26.11.1949
62. The Constitution of India came into force on
(a) 16.08.1948 (b) 26.01.1952 (c) 26.01.1950 (d) 26.11.1949
63. The Constitution of India contains (Articles, Parts, Schedules, Amendments)
(a) 445, 26, 12, 92 (b) 395, 22, 12, 42 (c) 345, 20, 10, 24 (d) 400, 10, 8, 12
64. How much time did the Constituent Assembly take to prepare the Constitution of India?
(a) 05Y, 11M, 19D (b) 02Y, 11M, 18D (c) 03Y, 10M, 07D (d) 04Y, 11M, 17D
65. Who had given the idea of a Constitution for India of all?
(a) Gandhiji (b) Jawaharlal Nehru (c) M. N. Roy (d) None of these
66. The Constitution of India is
(a) written and bulky document (b) an evolved constitution
(c) based on conventions (d) document
67. The Constitution framed by a Committee consisting of the people representatives is called as
(a) Evolved Constitution (b) Unwritten Constitution
(c) Written Constitution (d) None of these
68. Constitution which provides for a series of semi-autonomous states joined together as a nation is
(a) Unitary Constitution (b) Federal Constitution
(c) Rigid Constitution (d) None of these
69. Centralization of power is an important feature in
(a) Federal Constitution (b) Unitary Constitution
(c) Flexible Constitution (d) None of these
70. The Constitution which can be amended by simple act of the legislature is known as
(a) Rigid Constitution (b) Unitary Constitution
(c) Flexible Constitution (d) None of these
71. Which one of the following provisions of the Constitution came into force soon after its adoption on 26.11.1949?
(a) Provisional Parliament (b) Provisions relating to Citizenship
(c) Elections (d) All of these

72. India has been described under Article 1 of the Constitution as a
- (a) Confederation
 - (b) Union of States
 - (c) Federation
 - (d) Federation with strong unitary bias
73. The Constitution of India is
- (a) flexible
 - (b) rigid
 - (c) very rigid
 - (d) Partly rigid and partly flexible
74. The Constitution of India describes India as
- (a) Quasi-federal
 - (b) Unitary State
 - (c) A Union of States
 - (d) None of these
75. The Indian Constitution is recognized as
- (a) Unitary
 - (b) Parliamentary
 - (c) Federal
 - (d) Federal in form and Unitary in spirit
76. The feature common of both Indian and American Federation is
- (a) Single Citizenship
 - (b) Supreme Court to interpret Constitution
 - (c) Presidential system
 - (d) Seventh Schedule
77. The Indian Constitution came into force on 26.01.1950, hence this day is celebrated as
- (a) Gandhi Jayanthi
 - (b) Independence Day
 - (c) Republic Day
 - (d) None of these
78. January 26th was selected as the date for the inauguration of the Constitution because
- (a) Congress had observed it as the Independence Day in 1930
 - (b) It was considered to be an auspicious day
 - (c) On that day the 'Quit India Movement' was started in 1942
 - (d) None of these
79. 26th November, 1949 is a significant day in our constitutional history because
- (a) The Constitution was adopted on this day
 - (b) India took a pledge of complete independence on this day
 - (c) India became Republic on this day
 - (d) The first Amendment to the Constitution was passed on this day
80. Which one of the following exercised the most profound influence on the Indian Constitution?
- (a) The UN Charter
 - (b) The US Constitution
 - (c) British Constitution
 - (d) The GoI Act, 1935

81. The Parliamentary system of Government in India is based on the pattern of
(a) USA (b) France (c) Great Britain (d) Canada
82. To whom does the People of India gave the Constitution to
(a) British (b) Themselves
(c) All persons (d) Members of Constituent Assembly
83. The beginning word 'WE' in the Preamble refers to the
(a) British Rulers (b) Citizens of India
(c) Members of Constituent Assembly (d) All of these
84. The important test to identify the basic features of the Indian Constitution is
(a) FDs (b) DPSP (c) FRs (d) Preamble
85. The Preamble to the Constitution does not contain
(a) Fraternity (b) Democratic
(c) Sovereignty (d) Adult Franchise
86. India is a Sovereign Socialist Secular Democratic Republic. In the Indian Constitution, this expression occurs in
(a) Citizenship (b) Fundamental Rights
(c) Preamble (d) Directive Principles
87. The Preamble to the Constitution declares India as
(a) Sovereign Socialist Secular Democratic Republic
(b) Sovereign Democratic Republic
(c) Sovereign Secular Socialist Democratic Republic
(d) None of these
88. The Preamble of Indian Constitution has been amended so far
(a) Once (b) Twice (c) Thrice (d) Never
89. The Preamble was amended by the
(a) 24th Amendment (b) 42nd Amendment
(c) 44th Amendment (d) 22nd Amendment
90. 'Fraternity' means
(a) fatherly treatment (b) spirit of brotherhood
(c) unity and integrity of the nation (d) elimination of economic injustice
91. The words 'Socialist Secular' were
(a) Added by 24th Amendment (b) Added by the 44th Amendment
(c) Added by the 42nd Amendment (d) Part of the original Preamble

92. 'Liberty' in our Preamble does not include Freedom of
(a) Thought (b) Belief (c) Religion (d) Action
93. Which among the following is an aid to the Statutory Interpretation?
(a) Directive Principles (b) Fundamental Rights
(c) Preamble (d) Fundamental Duties
94. Which of the key to open the minds of the makers of the Constitution?
(a) Fundamental Duties (b) Fundamental Rights
(c) Directive Principles (d) Preamble
95. If the Head of the State is an elected functionary for a fixed term, it is known as ____ State.
(a) Federal (b) Republic (c) Unitary (d) Democratic
96. The Preamble to the Indian Constitution is borrowed from the
(a) Objective Resolution (b) Britain Constitution
(c) Canada Constitution (d) Australia Constitution
97. *Objective Resolution* was silent as to the concept of ____ which was inserted into the Preamble by the Constituent Assembly.
(a) Republic (b) Sovereignty (c) Democratic (d) Justice
98. Universal Adult Franchise shows that India is a _____ country.
(a) Secular (b) Democratic (c) Sovereignty (d) Socialist
99. Who proposed Preamble before the Drafting Committee of the Constitution?
(a) B. R. Ambedkar (b) Mahatma Gandhi
(c) B. N. Rau (d) Jawaharlal Nehru
100. The Preamble of our Constitution reads
(a) We, the people of India in our Constituent Assembly adopt, enact and give to ourselves this Constitution
(b) We, the citizens of India in our Constituent Assembly adopt, enact and give to ourselves this Constitution
(c) We, the people of Constituent Assembly adopt, enact and give to ourselves this Constitution
(d) None of these
101. India is called a 'Republic' because
(a) The Head of the State in India (President) is an elected head for a fixed period
(b) The people of India are sovereign
(c) The Ministers are responsible to Parliament
(d) Ministers hold Office during the pleasure of the President

102. 'Sovereignty' in a democracy rests with the
(a) Government (b) Prime Minister
(c) President (d) People
103. The Preamble secures Justice, Liberty, Equality and Fraternity to
(a) Residents of India (b) All persons
(c) All citizens (d) None of these
104. The Preamble of the Constitution indicates
(a) The source of the Indian Constitution
(b) The extent of governments power to make law
(c) The facilities to be given to backward class people
(d) The circumstances under which the Constitution can be amended
105. It is not the objective enshrined in the Preamble.
(a) Equality of status
(b) Secure shelter and proper livelihood to all
(c) Liberty of thought and expression
(d) Justice Social Economic and Political
106. The idea of social, economic and political justice has been taken from ____ Revolution.
(a) Greek (b) Russian (c) American (d) French
107. The concept of equality and fraternity has been taken from ____ Revolution.
(a) American (b) Greek (c) Russian (d) French
108. Which of the following is described as the 'Soul of the Constitution'?
(a) Fundamental Rights (b) Preamble
(c) Fundamental Duties (d) Directive Principles
109. Which one of the following is not treated as part of the Constitution?
(a) Preamble (b) Fundamental Duties
(c) Fundamental Rights (d) Directive Principles
110. Democracy of India rests on the fact that
(a) People have the right to choose and change the government
(b) The Constitution is written
(c) There are Fundamental Rights
(d) There are DPSPs
111. The word 'Democracy' is derived from the Greek words
(a) Democratos (b) Demos and Cartos (c) Demos and Kratos (d) None of these

112. India opted for a Federal form of government because of
(a) Cultural Integration (b) Vast Territory
(c) Linguistic and Regional Diversity (d) None of these
113. What is the chief (ultimate) source of political power (authority) in India?
(a) Constitution (b) People (c) Parliament
(d) Supreme Court (e) Government
114. A Flexible Constitution
(a) can be amended easily
(b) cannot be amended easily
(c) can be amended only after undergoing a special procedure
(d) does not allow frequent changes
115. The Judiciary acts as an guardian of the Constitution in a
(a) Evolved Constitution (b) Unitary government
(c) Flexible Constitution (d) Federal government
116. India is a Secular State because
(a) It is described so in the preamble of the Constitution
(b) It is an anti-religion
(c) It gives facilities to those who do not believe in any religion
(d) It is dominated by believers in a particular religion
117. Our Constitution has laid emphasis on securing social, economic and political justice to all the citizens of the country. These objectives are aimed at securing a
(a) Secular State (b) Welfare State
(c) Democratic government (d) Happy and Prosperous State
118. Modern States are generally considered as
(a) Dictatorial States (b) Police States
(c) Welfare States (d) None of these
119. A State which does not promote or interfere in the affairs of religion is referred to as
(a) Sovereign (b) Socialist (c) Democratic (d) Secular
120. The Constitution is a
(a) Rigid Law (b) Fixed Law (c) Dynamic Law (d) Static Law
121. The Constitution of India provides
(a) Multiple citizenship (b) Double citizenship
(c) Single citizenship (d) None of these

122. The Constitution provides
(a) Powers (b) Responsibilities (c) Limitations (d) All of these
123. The fundamental organs of the State are established by
(a) Parliament (b) Constitution (c) Government (d) President
124. Detailed provisions regarding acquisition and termination of Indian citizenship are contained in
(a) Act passed by the Parliament in 1955 (b) The Indian Independence Act, 1947
(c) Part VII of the Constitution (d) None of these
125. Which of the following is not a condition for becoming an Indian citizen? [Citizenship by]
(a) Birth (b) Acquiring property
(c) Descent (d) Naturalization
126. A person can lose citizenship through
(a) Deprivation (b) Termination (c) Renunciation (d) All of these
127. The aims and objectives of the Constitution have been enshrined in
(a) The Preamble
(b) Chapter of Fundamental Rights
(c) Chapter on Fundamental Duties
(d) The Chapter on Directive Principles of State Policy
128. The Office of the Governor General of India was for the first time created under
(a) Regulating Act, 1773 (b) Indian Councils Act, 1861
(c) Dundas Bill, 1783 (d) None of these
129. According to the Act of 1858, the territory was divided into
(a) Zones (b) States (c) Provinces (d) None of these
130. When did the British Crown assume sovereignty over India from East India Company?
(a) 1885 (b) 1858 (c) 1853 (d) 1847
131. Morley-Minto Reforms were implemented by the Indian Councils Act
(a) 1861 (b) 1892 (c) 1909 (d) None of these
132. Which of the following is also known as the Act of 1919?
(a) Montague-Chelmsford Reform Act (b) Regulating Act
(c) Montague-Morley Act (d) None of these

133. Under which of the following Act was Provincial Autonomy introduced in India?
(a) Indian Councils Act, 1861 (b) Indian Councils Act, 1909
(c) Indian Councils Act, 1882 (d) Government of India Act, 1935
134. Who made the Constitution of India?
(a) The Indian Parliament (b) The Constituent Assembly
(c) The British Parliament (d) None of these
135. A Constituent Assembly is convened to
(a) Frame the Constitution of the country
(b) Pass the budget of the country
(c) Change ordinary law
(d) To make ordinary law
136. The Constituent Assembly was set up to under the
(a) Cabinet Mission Plan of 1946 (b) Government of India Act of 1919
(c) Government of India Act of 1935 (d) Indian Independence Act of 1947
137. Which party was not associated with the Constituent Assembly of India?
(a) SCs Federation (b) Hindu Mahasabha
(c) The Communist Party (d) All of these
138. The Republic of India established by the Constitution is not
(a) Sovereign (b) Unitary
(c) Socialist (d) Secular
139. The mind and ideals of the framers of the Constitution are reflected in the
(a) DPSP (b) Preamble (c) FRs (d) All of these
140. In our Constitution, what justice is not given to the citizens?
(a) Social (b) Technical (c) Economic (d) Political
141. The present Five-year Plan (2002-2007) is
(a) 11th (b) 9th (c) 10th (d) None of these
142. 'Amend' means
(a) remove the difficulties (b) make the meaning more clear
(c) make the object of the Act more clear (d) omit
143. 'Enact' means
(a) rectify the mistakes in the law (b) single action
(c) single chapter (d) pass a law

144. Who advocated 'Grama Swarajya' for the growth of the villages?
(a) Nehru (b) Gandhiji (c) Ambedkar (d) Shastri
145. 'Poornaswarajya' was declared as the goal of the Congress on December 1929 in the
(a) Bombay Session (b) Lahore Session (c) Fazipur Session (d) None of these
146. Our Constitution prohibits ____
(a) Politics (b) Liquor (c) Untouchability (d) Freedom
147. The Constitution declared India as a Republic on _____.
(a) 26.01.1950 (b) 26.11.1949 (c) 15.08.1947 (d) None of these
148. Who has given the following statement: "Democracy means a Government *of* the people, *by* the people and *for* the people"?
(a) Jawaharlal Nehru (b) Abraham Lincoln
(c) M. K. Gandhiji (d) None of these
149. Which one of the following features was borrowed by the framers of the Constitution from the US Constitution?
(a) Removal of Judges of the Supreme Court
(b) Judicial Review
(c) Fundamental Rights
(d) All of the above
150. The ideals of liberty, equality and fraternity enshrined in the Preamble of the Constitution were adopted under inspiration from
(a) The UN Charter
(b) The Russian Revolution
(c) The American Declaration of Independence
(d) The French Revolution
151. _____ is the chief force of political power in India.
(a) The Parliament (b) The Constitution
(c) The People (d) The Parliament and State Legislatures
152. The Constitution describes the Indian Union as
(a) India i.e. Bharat (b) India i.e. Bharatvarsha
(c) India i.e. Hindustan (d) None of these
153. The Constitution of India describes India as
(a) Federation (b) Union of States (c) Quasi-federal (d) None of these

154. The two persons who played a vital role in the integration of Princely States were
(a) Sardar Patel and V. P. Menon (b) Sardar Patel and Nehru
(c) Sardar Patel and Rajendra Prasad (d) Sardar Patel and K. M. Munshi
155. The States were reorganized on linguistic basis in
(a) 1947 (b) 1951 (c) 1956 (d) 1949
156. Which State enjoys the distinction of being the first linguistic State of India?
(a) Punjab (b) West Bengal
(c) Tamil Nadu (d) Andhra Pradesh
157. The Indian Federal system is modeled on the Federal system of
(a) USA (b) Canada (c) Australia (d) New Zealand
158. India is known as Parliamentary Democracy because
(a) Executive is responsible to the Parliament
(b) MPs are directly elected by the people
(c) President is not MP
(d) Powers have been clearly distributed between Center and States
159. The Indian State is regarded as federal because the Indian Constitution provides for
(a) Double Constitution
(b) Written Constitution
(c) Sharing of power between Center and States
(d) Dual Judiciary
160. In which Case did Supreme Court hold that the Preamble was a part of the Constitution?
(a) Golaknath Case (b) Keshavananda Bharti Case
(c) Berubari Case (d) None of these
161. In which Case did Supreme Court hold that Preamble was not a part of the Constitution?
(a) Golaknath Case (b) Keshavananda Bharti Case
(c) Berubari Case (d) None of these
162. The Ninth Schedule
(a) was added to the Constitution by the 1st Amendment
(b) formed part of the original Constitution
(c) was added to the Constitution by the 24th Amendment
(d) was added to the Constitution by the 42nd Amendment

163. Which Schedule details the boundaries of the States and the Union Territories?
(a) VIII (b) VI (c) VII (d) I
164. The details of salaries, allowances, etc. of the President, Vice President, Speaker, Judges of Supreme Court, etc. are provided in Schedule
(a) III (b) II (c) IV (d) VI
165. Which Schedule gives details regarding the subjects included in the three lists — Central, State and Concurrent Lists?
(a) X (b) VIII (c) IX (d) VII
166. In the Indian Constitution
(a) There are three lists: The Union list, the State list and the Concurrent list
(b) The powers of the Union and the State governments are defined in the two separate lists
(c) The powers of the Union government are defined while the residuary powers belong to the States
(d) The powers of the State are defined while residuary powers are with the Union government
167. Which of the following statements is correct?
(a) Rule of Law is a basic feature of the Constitution which cannot be amended under Article 368 of the Constitution
(b) Rule of Law is an ordinary feature of the Indian Constitution which can be amended under Article 368 of the Constitution
(c) Rule of Law is only an implied feature of the Indian Constitution
(d) All of the above
168. As per Article 262 of Indian Constitution, disputes relating to waters shall be solved by
(a) President (b) Supreme Court
(c) States involved in dispute (d) Parliament
169. Which one of the following declares India as a Secular State?
(a) Fundamental Rights (b) DPSP
(c) Preamble of the Constitution (d) 9th Schedule
170. By which of the following a new State is formed?
(a) Lok Sabha (b) Constitutional Amendment
(c) People's Referendum (d) President
171. The final interpreter to Indian Constitution is
(a) Speaker of Lok Sabha (b) Parliament
(c) President (d) Supreme Court

172. Every Amendment of Indian Constitution has to be approved by the
(a) People (b) States
(c) Parliament (d) None of these
173. Which one of the following States has a separate Constitution?
(a) Nagaland (b) Jammu & Kashmir
(c) West Bengal (d) Both (a) and (b)
174. Apart from the Jammu & Kashmir, which other State has been provided special protection in certain matters?
(a) Tripura (b) Meghalaya
(c) Himachal Pradesh (d) Nagaland
175. Article 356 of the Constitution of India deals with
(a) Proclamation of President's Rule in a State
(b) Autonomy of States
(c) Removal of the Chief Minister
(d) Appointment of the Governor
176. The State of Jammu & Kashmir was accorded special status under
(a) Article 356 (b) Article 370
(c) Articles 370 and 356 (d) None of these
177. The Constitution of Jammu & Kashmir was framed by
(a) A special Constituent Assembly set up by the State
(b) A special Constituent Assembly set up by Parliament
(c) The same Constituent Assembly which framed Indian Constitution
(d) None of these
178. The Constitution of Jammu & Kashmir came into force on
(a) 26.01.1952 (b) 15.08.1952 (c) 26.01.1957 (d) 26.01.1950
179. The special status of Jammu & Kashmir implies that the State has separate
(a) Judiciary (b) Defence force (c) Constitution (d) None of these
180. In case of Jammu & Kashmir, an Amendment to the Constitution become applicable
(a) only after the President issued the necessary orders under the Article 370
(b) only after it is ratified by the State Assembly by two-third majority
(c) only after it is ratified by the State Legislature
(d) automatically

181. Under the Parliamentary system of the Government,
- (a) the Cabinet as a whole is responsible to the Legislature
 - (b) the members of the Cabinet are not from the Legislature
 - (c) the Legislature cannot be dissolved earlier
 - (d) the Prime Minister is the Head of the State
182. Who is authorized to initiate a Bill for Constitutional Amendment?
- (a) Lok Sabha only
 - (b) Both Parliament & State Legislatures
 - (c) Either House of Parliament
 - (d) Rajya Sabha only
183. The power of Parliament to amend the Constitution
- (a) includes power to amend by way of addition, variation or repeal
 - (b) is not procedurally limited and restricted
 - (c) is unrestricted by any inherent and implied limitations
 - (d) is extra-constitutional authority
184. Which Article empowers the Parliament to amend the Indian Constitution?
- (a) 311
 - (b) 368
 - (c) 13
 - (d) 245
185. Ninth Schedule to the Constitution is added by way of ____ Constitutional Amendment.
- (a) 24th
 - (b) 7th
 - (c) 1st
 - (d) 42nd
186. What is contained in the Tenth Schedule of the Indian Constitution?
- (a) Provisions regarding disqualification on grounds of defection
 - (b) Languages recognized by the Constitution
 - (c) Laws that can be challenged in any Court of Law
 - (d) Forms of oath or affirmation
187. Mahatma Gandhiji was first referred to as the 'Father of the Nation' by
- (a) Jawaharlal Nehru
 - (b) Subhash Chandra Bose
 - (c) C. Rajagopalachari
 - (d) Vallabhbhai Patel
188. 'Jai Hind', the nationalist slogan of India was coined by
- (a) Mahatma Gandhi
 - (b) Jawaharlal Nehru
 - (c) Subhash Chandra Bose
 - (d) Vallabhbhai Patel
189. Who framed the Constitution of India?
- (a) Jawaharlal Nehru
 - (b) Jatin Banerjee
 - (c) Ram Manohar Lohia
 - (d) Dr. B. R. Ambedkar
190. Which famous leader raised the slogan, "Tell the Slave, He is a Slave and He will Revolt"?
- (a) Bal Gangadhar Tilak
 - (b) Jawaharlal Nehru
 - (c) Mahatma Gandhi
 - (d) Dr. B. R. Ambedkar

191. Who said, "Those who attack Congress and spare Nehru are fools. They do not know the ABCs of the politics"?
- (a) A. B. Vajpayee (b) Dr. B. R. Ambedkar
(c) Shyam Prasad Mukherjee (d) Laloo Prasad Yadav
192. What is the name given to the Ambedkar's house built for himself, his family and books at Dadar, in Bombay?
- (a) Amruthgriha (b) Adithigriha
(c) Rajagriha (d) None of these
193. Indian Constitution is
- (a) Unwritten (b) Partly written
(c) Wholly written (d) Based on Customs
194. The Indian Constitution is
- (a) Lengthy (b) Written (c) Flexible (d) All of these
195. Consider the following statement: On eve of launch of Quit India Movement, Mahatma Gandhi
- (i) Asked the government servants to resign
(ii) Asked the soldiers to leave their posts
(iii) Asked the Princes of the Princely States to accept the sovereignty of the own people
- Which of the statements given above is / are correct?
- (a) iii only (b) i and ii only (c) ii and iii (d) i, ii and iii
196. The 'Homespun Movement' and the Salt March promoted by Mahatma Gandhiji in India are examples of his policy of
- (a) Non-alignment (b) Non-violent protest
(c) Isolationism (d) Industrialization
197. Which year is considered to be a memorable landmark in the history of India's Struggle for Freedom?
- (a) 1918 (b) 1920 (c) 1919 (d) 1921
198. The First War of Independence took place in the year (OR) In which year did the Sepoy Mutiny, India's first Freedom Struggle, takes place?
- (a) 1859 (b) 1858 (c) 1857 (d) 1856
199. Mahatma Gandhiji was the editor of
- (a) National Herald (b) Young India
(c) Seminar (d) Modern Review

200. Who was *not* a member of the Constituent Assembly?
(a) B. R. Ambedkar (b) K. M. Munshi
(c) Vallabhbhai Patel (d) Mahatma Gandhi
201. Who among the following was *not* a member of the Royal Commission on the Public Services in India, 1912?
(a) Valentine Chirol (b) Abdur Rahi
(c) Bal Gangadhar Tilak (d) Gopalkrishna Gokhale
202. Which national leader of India, preached through his paper 'Kesari', his new ideals of self-help and national revival among the masses?
(a) Bal Gangadhar Tilak (b) G. K. Gokhale
(c) M. G. Ranade (d) N. M. Joshi
203. Which newspaper was started by Lokamanya Tilak to serve as a mouthpiece for the Indians in the Freedom Struggle?
(a) Ghadhar (b) Swadeshmitram
(c) Free Hindustan (d) Kesari
204. The Cabinet Mission to India was headed by
(a) Stafford Cripps (b) A. V. Alexander
(c) Lord Pethick-Lawrence (d) Hugh Gaitskell
205. In which one of the following provinces was a Congress ministry not formed under Act of 1935?
(a) Bihar (b) Punjab (c) Madras (d) Orissa
206. Under whose Presidency was the Lahore Session of the Indian National Congress held in the year 1929 wherein a resolution was adopted to gain complete independence from the British?
(a) Jawaharlal Nehru (b) Bal Gangadhar Tilak
(c) Motilal Nehru (d) Gopalkrishna Gokhale
207. Unity between the Congress and Muslim League (Lucknow Pact) and between the Moderates and Extremists took place in
(a) 1917 (b) 1916 (c) 1918 (d) 1919
208. At which Congress Session was the Working Committee authorized to launch a programme of Civil Disobedience?
(a) Tripura (b) Bombay (c) Lahore (d) Lucknow
209. The historic 1929 Lahore Session of Indian National Congress was presided over by
(a) Motilal Nehru (b) Lala Lajpat Rai
(c) M. K. Gandhi (d) Jawaharlal Nehru

210. Who among the following drafted the resolution on Fundamental Rights for the Karachi Session of Congress in 1931?
- (a) Dr. Rajendra Prasad (b) Dr. B.R. Ambedkar
(c) Jawaharlal Nehru (d) Vallabhbhai Patel
211. Who among the following was the Chairman of the Union Constitution Committee of the Constituent Assembly?
- (a) B. R. Ambedkar (b) Jawaharlal Nehru
(c) J. B. Kripalani (d) Alladi Krishnaswami Ayyar
212. Who made the comment on the Constitution should not be so rigid that it cannot be adapted to the changing needs of national development and strength?
- (a) Jawaharlal Nehru (b) M. K. Gandhi
(c) Indira Gandhi (d) Rajiv Gandhi
213. 'Vande Mataram' was first sung at the session of the Indian National Congress in
- (a) 1904 (b) 1892 (c) 1886 (d) 1896
214. The expression 'Tryst with Destiny' was used by Jawaharlal Nehru on the occasion of
- (a) Dandi March (b) Civil Obedience Movement
(c) Quit India Movement (d) August Declaration
215. India enacted an important event of Indian National Movement celebrating the 75th anniversary. Which was it?
- (a) Quit India Movement (b) Civil Obedience Movement
(c) Delhi Chalo Movement (d) Non-Cooperation Movement
216. Which one of the following principle is wrong with regard to 'Panchsheel'?
- (a) Mutual Economic and Social Cooperation
(b) Mutual Non-interference in each others internal matters
(c) Mutual Non-aggression
(d) Mutual respect for each others territorial integrity and sovereignty
217. The Agreement between India and China, by which both accepted 'Panchsheel' as the basis of their relations, was signed in
- (a) 1952 (b) 1953 (c) 1954 (d) 1951
218. 'Panchsheel' was signed between
- (a) Jawaharlal Nehru and Chou-En-Lai (b) Mahatma Gandhi and Chou-En-Lai
(c) Jawaharlal Nehru and Nelson Mandela (d) Mahatma Gandhi and Nelson Mandela
219. When was the famous Gandhi-Irwin Pact signed?
- (a) 1934 (b) 1932 (c) 1933 (d) 1931

220. Who coined the term 'Non-Alignment'?
- (a) Morarji Desai (b) Dadabhai Naroji
(c) Krishna Menon (d) Jawaharlal Nehru
221. Who among the following repealed the Vernacular Press Act?
- (a) Lord Curzon (b) Lord Dufferin
(c) Lord Ripon (d) Lord Hardinge
222. Who was assigned the task of partitioning India in 1947?
- (a) Robert Clive (b) Allen Octavian Hume
(c) Lord Lytton (d) Sir Cyril Redcliffe
223. Which Englishman's role was central to the founding of the Indian National Congress?
(OR) Which British was instrumental in the formation of the Indian National Congress?
- (a) Allen Octavian Hume (b) Lord Lytton
(c) Robert Clive (d) Sir Stafford Cripps
224. Subhash Chandra Bose renamed what as "Shaheed and Swaraj"?
- (a) Diu and Daman (b) The Andaman and Nicobar Islands
(c) Hyderabad and Secunderabad (d) Hubli and Dharwad
225. Which party was founded by Subhash Chandra Bose in the year 1939 after he broke away from the Congress? (OR) Which political party was founded by Subhash Chandra Bose?
- (a) Indian Freedom Party (b) Revolutionary Front
(c) Azad Hind Fauz (d) Forward Bloc
226. The Indian National Army was founded by
- (a) Subhash Chandra Bose (b) Sardar Vallabhbhai Patel
(c) Bipin Chandra Pal (d) Bhagat Singh
227. In which year and place did Subhash Chandra Bose re-organize the Azad Hind Fauz (also known as Indian National Army-INA)?
- (a) 1942, Tokyo (b) 1943, Rangoon (c) 1943, Singapore (d) 1941, Berlin
228. By what name was the woman's regiment of the Indian National Army known?
- (a) Rani Jhansi Regiment (b) Akkamahadevi Regiment
(c) Terasa Regiment (d) None of these
229. The INA, organized by Subhash Chandra Bose, surrendered to the British after the collapse of
- (a) Italy (b) Japan
(c) Germany (d) After the cessation of 2nd World War

230. During the Indian Freedom Struggle, who among the following proposed that Swaraj should be defined as complete independence free from all foreign controls?
- (a) Mazharul Haque (b) Hakim Ajmal Khan
(c) Maulana Hasrat Mohani (d) Abul Kalam Azad
231. The leader of the Bardoli Satyagraha (1928) was
- (a) Vallabhbhai Patel (b) Mahatma Gandhi
(c) Vithalbai J. Patel (d) Mahadev Desai
232. When did the British Parliament pass the Indian Independence Bill?
- (a) 14.08.1947 (b) 01.07.1947 (c) 24.03.1947 (d) 20.02.1947
233. The reference to Hindus in Article 25 of the Constitution does not include
- (a) Jains (b) Sikhs (c) Parsees (d) Buddhists
234. Financial allocation for education was made for the first time by the Charter Act of
- (a) 1793 (b) 1833 (c) 1773 (d) 1813
235. 'Go Back to the Vedas' was the motto of
- (a) Swami Dayananda Saraswati (b) Raja Ram Mohan Roy
(c) Swami Vivekananda (d) Ramakrishna Paramahansa
236. Which of the following persons became Vice President after serving as acting President of India for a short duration?
- (a) Mohammed Hidayathullah (b) Shankar Dayal Sharma
(c) Dr. S. Radhakrishnan (d) Dr. K. R. Narayanan
237. In 1921, a Session of the Indian National Congress was held when its President was in prison and with some other leader acting as its President. Who was the Congress President in prison?
- (a) Mahatma Gandhi (b) Mohammed Ali
(c) Abul Kalam Azad (d) C. R. Das
238. Following the famous 'Quit India Resolve', the top Congress leaders were arrested on
- (a) 11.08.1942 (b) 10.08.1942 (c) 09.08.1942 (d) 12.08.1942
239. The 'Quit India Movement' started at and when
- (a) Wardha, 07.08.1942 (b) Bombay, 08.08.1942
(c) Delhi, 12.08.1942 (d) Amritsar, 14.08.1942
240. Which famous Movement did Mahatma Gandhi launch in August 1942?
- (a) Champaran Movement (b) Non-Cooperation Movement
(c) Quit India Movement (d) Civil Disobedience Movement

241. In how many provinces did the Indian National Congress form Governments after the elections to the Assemblies held under the Government of India Act of 1935?
(a) 7 (b) 8 (c) 9 (d) 10
242. The Muslim League declared its goal of forming Pakistan in which city in 1940?
(a) Lahore (b) Karachi (c) Dhaka (d) Delhi
243. Name the only Indian ruler who has died fighting the British?
(a) Hyder Ali (b) Tipu Sultan
(c) Mohammed Kaji (d) None of these
244. Who was the first Muslim Invader of India?
(a) Mohammed Bin Kasim (b) Kutubuddin Aibak
(c) Mahmud Ghazni (d) Mohammed Gori
245. The words 'Satyameva Jayate' inscribed in Devanagiri script below the abacus of the State Emblem of India are taken from
(a) Sama Veda (b) Katha Upanishad
(c) Mundaka Upanishad (d) Yajur Veda
246. The design of the National Flag of India was adopted by the Constituent Assembly on
(a) 14.08.1947
(b) 22.08.1947
(c) 09.12.1946, as its first meeting
(d) 22.01.1947, when it adopted the famous Objectives Resolution
247. Who gave the first draft of the Constitution to the Drafting Committee to consider and improve
(a) K. M. Munshi (b) B. R. Ambedkar
(c) B. N. Rau (d) Jawaharlal Nehru
248. The Final Draft of the Constitution was prepared by
(a) S. N. Mukherjee (b) B. N. Rau (c) K. M. Munshi (d) None of these
249. The State of Bombay, a Part A State in the original Constitution, was split into two States, Gujarat and Maharashtra, in
(a) 1958 (b) 1962 (c) 1956 (d) 1960
250. The Preamble says that the State in India will assure the dignity of the individual. The Constitution seeks to achieve this object by guaranteeing
(a) Equal FRs to each citizen
(b) The right to adequate means of livelihood to each individual
(c) Just and humane conditions of work to each individual
(d) Equal wages for equal work to each individual irrespective of sex

251. Our Preamble mentions the _____ kinds of Justice.
- (a) Social, Economic and Political (b) Natural, Social and Political
(c) Legal, Social and Political (d) Natural, Social and Economic
252. Articles 19(1)(f) and 31 were deleted and Article 300-A was inserted by the following Constitution Amendment Act –
- (a) 38th (b) 25th (c) 44th (d) 42nd
253. Which of the following Article of the Constitution cannot be amended by a simple majority in both the Houses of Parliament?
- (a) 2 (b) 4 (c) 3 (d) 15
254. Which of the following events made Gandhiji to launch, for the first time, Civil Disobedience Movement?
- (a) Promulgation of Rowlatt Act of 1919
(b) Failure of talks with the Cripps Mission in 1942
(c) Jallianwala Bagh Massacre in 1919
(d) Killing of peaceful agitators Chauri Chaura by the British troops in 1922
255. Where did Mahatma Gandhiji first try the weapon of 'Satyagraha'?
- (a) South Africa (b) Dandi (c) Bardoli (d) Champaran
256. The most effective measure against injustice adopted by Gandhiji was
- (a) Picketing (b) Stoppage of work (c) Fasting (d) Hijrat
257. Gandhiji started Satyagraha in 1919 to protest against the
- (a) Salt Law (b) Rowlatt Act
(c) Act of 1909 (d) Jallianwala Bagh Massacre
258. Which of the following Acts of British Parliament envisaged for the first time a close association of Indians with the administration?
- (a) Indian Councils Act, 1909 (b) Indian Councils Act, 1892
(c) Indian Councils Act, 1861 (d) Government of India Act, 1919
259. Which of the following Acts gave representation to the Indians for the first time in legislation?
- (a) Indian Councils Act, 1909 (b) Indian Councils Act, 1919
(c) Government of India, 1919 (d) Government of India, 1935
260. Which leader dominated the Lucknow Pact in December, 1916?
- (a) Motilal Nehru (b) Jawaharlal Nehru
(c) Bal Gangadhar Tilak (d) Madan Mohan Malviya

261. The famous Lucknow Pact between the Congress and the Muslim League was concluded in
(a) 1918 (b) 1914 (c) 1912 (d) 1916
262. Which present day country was a part of British India from 1886–1937?
(a) Bhutan (b) Myanmar (c) Sikkim (d) Nepal
263. Which one of the following is not related to the development of education in Modern India?
(a) Resolution of 1835 (b) Regulating Act
(c) Woods Despatch (d) Charter Act, 1813
264. Which British Official was sent to Lahore to negotiate the Treaty of Amritsar with Ranjit Singh?
(a) Charles T. Metcalfe (b) Major Broodfoot
(c) John Lawrence (d) Lord McCartney
265. Who was the Governor General of India during the Sepoy Mutiny?
(a) Lord Lytton (b) Lord Dalhousie
(c) Lord Hardinge (d) Lord Canning
266. Who was the first woman President of UN General Assembly?
(a) Annie Beasant (b) Vijayalakshmi Pandit
(c) Sarojini Naidu (d) M. S. Subbalakshmi
267. Which Section of the Limitation Act defines Tort?
(a) Section 2 (o) (b) Section 2 (n)
(c) Section 2 (m) (d) Section 2 (p)
268. The seeds of the doctrine of Basic Structure can be traced to the following:
(a) The majority judgment of Chief Justice Subba Rao in *Golak Nath V/s State of Punjab*
(b) The dissenting judgment of Justice Mudholkar in *Sajjan Singh V/s State of Rajasthan*
(c) The dissenting judgment of Justice Hidayatullah in *Sajjan Singh V/s State of Rajasthan*
(d) All of the above
269. The purpose of the Ilbert Bill was
(a) To remove an anomaly in the Criminal Procedure Code of 1873, according to which no magistrate or sessions judge could try a European or British subject unless he was himself of European birth
(b) To take away the right of the native magistrates to try Europeans and Englishmen
(c) To take away the right of the European magistrates to try Indians
(d) None of these

270. In India, the liability of the State for wrongs committed by its servants –
- (a) Is the same as what that of the East India Company prior to the year 1858 (According to Case Kasturi Lal Raliaram Jain V/s State of Uttar Pradesh)
 - (b) Covers all wrongful actions of the Government servants outside the course of their employment
 - (c) Will arise only when the Government servant committed the tort in exercise of Sovereign Powers of the State
 - (d) Is regulated by Act of Parliament and the Acts of State Legislature
271. An Amendment of the Constitution of India for the purpose of creating a new State in India must be passed by
- (a) A simple majority in the Parliament
 - (b) A simple majority in the Parliament with the approval of the concerned State
 - (c) Two-thirds of the member of both the Houses of Parliament present and voting
 - (d) A simple majority in the Parliament and ratification by not less than half of the States
272. On which of the following did the Mahalonobis Model laid greater emphasis for planned development in India after Independence?
- (a) Power Generation
 - (b) Agriculture
 - (c) Heavy Industries Development
 - (d) Science and Technology
273. How our Constitution was criticized?
- (a) Imitation of the West
 - (b) Kichadi
 - (c) Patch work
 - (d) All of these
274. What has been described as the 'Indian Political Horoscope'?
- (a) FRs
 - (b) Preamble
 - (c) FDs
 - (d) DPSP
275. Who called the word for Preamble as 'Political Horoscope of India'?
- (a) B. N. Rau
 - (b) K.M. Munshi
 - (c) Vallabhbhai Patel
 - (d) Krishnamachari
276. What is meant by saying that India is a 'Secular State'?
- (a) Complete detachment from the affairs of the religion
 - (b) Being anti-religious
 - (c) It allows only Indian religions to practice
 - (d) It does not allow any religion to practice
277. Where in the Indian Constitution, 'Economic Justice' has been provided as one of the objectives?
- (a) FRs
 - (b) Preamble and FRs
 - (c) Preamble and DPSP
 - (d) FRs and DPSP

278. Who treated as 'Sovereign' in Constitution of India?
(a) Prime Minister (b) Parliament (c) President (d) People
279. Home Rule League was founded by
(a) Sarojini Naidu (b) Dadabhai Naoroji
(c) Subhash Chandra Bose (d) Annie Beasant
280. Who set up the first school of untouchables in India?
(a) Jyothiba Phule, 1948, Pune (b) Jyothi Phale, 1948, Pune
(c) Jyothiba Phale, 1949, Pune (d) None of these
281. In which year was Untouchability abolished in India?
(a) 1951 (b) 1950 (c) 1952 (d) 1953
282. Shimla Agreement between India and Pakistan was signed during
(a) 1982 (b) 1972 (c) 1966 (d) 1988
283. The first visible effect of Constitution was
(a) Education for all (b) Equality of all languages
(c) Disappearance of Princely States (d) Religious Equality
284. The Constitution of India provides _____ system of Government.
(a) Parliamentary (b) Bicameral
(c) Presidential (d) Cabinet
285. Kashmiri is the Official Language of
(a) Bihar (b) Himachal Pradesh
(c) No State in the Indian Union (d) Uttar Pradesh
286. In which year were the Indian States reorganized on a linguistic basis?
(a) 1947 (b) 1966 (c) 1951 (d) 1956
287. The Lal in Lal, Bal, Pal was
(a) Lala Lajpat Rai (b) Lal Bahadur Shastri
(c) Motilal Nehru (d) Jawaharlal Nehru
288. Indian Constitution is called 'Quasi-Federal' because it has
(a) Single Citizenship (b) Single Judiciary
(c) Emergency Powers (d) All of these
289. Who succeeded Lord Mountbatten as the first Indian Governor General of the Indian dominion till 26th January 1950 when India became a Republic?
(a) C. Rajagopalachari (b) Vallabhbhai Patel
(c) Rajendra Prasad (d) Jawaharlal Nehru

II. FUNDAMENTAL RIGHTS (FRs)

1. India is referred as ___ under the Indian Constitution.
(a) State (b) Hindustan (c) Bharat (d) Indus
2. Who is empowered to admit a new State to the Union of India?
(a) Prime Minister (b) Parliament
(c) President (d) Supreme Court
3. Which important Human Right is protected in Article 21 of our Constitution?
(a) Right to Life and Liberty
(b) Right to Equality
(c) Right to Freedom of Speech and Expression
(d) Right to Freedom of Religion
4. The Constitution confers a special authority for the enforcement of FRs on the
(a) State Legislature (b) Parliament
(c) President (d) Supreme Court
5. The FRs of the Indian Citizen in our Constitution are contained in (OR) FRs are guaranteed under ____ of the Indian Constitution.
(a) Part IV (b) Part III
(c) Part V (d) Part VI
6. Under Article 368, Parliament has no power to repeal FRs because they are
(a) Basic Structure of Constitution (b) Human Rights
(c) Enshrined under Part III (d) All of these
7. FRs can be claimed against the
(a) Judiciary (b) State
(c) Private Individuals (d) All of these
8. The FRs, which cannot be suspended even during the emergency, are Articles _____.
(a) 29 and 30 (b) 14 and 15 (c) 23 and 24 (d) 20 and 21
9. Clause (1) of Article 13 is applicable only to
(a) Personal Laws (b) Post-constitutional Laws
(c) Pre-constitutional Laws (d) Corporate Laws
10. Original Constitution classified FRs into seven categories but now there are
(a) Eight
(b) Five
(c) Six
(d) Regrouped into social, economic and political

11. India's desire for civil liberties started from the struggle for independence against the
(a) Portuguese Rule (b) British Rule
(c) Spanish Rule (d) Dutch Rule
12. India borrowed the idea of incorporating FRs in the Constitution from
(a) Great Britain (b) France (c) China (d) USA
13. The concept of Single Citizenship is borrowed from the Constitution of
(a) Canada (b) Australia
(c) Britain (d) America
14. The concept of Dual Citizenship in the Union of India was recommended by _____ Committee.
(a) Ashok Mehta (b) L. M. Singhvi
(c) Raj-Mannar (d) Balwantrao Mehta
15. Under which Article of the Indian Constitution, Citizenship of a person can be determined at the commencement of the Constitution?
(a) 6 (b) 5 (c) 8 (d) 9
16. Which Article describes the persons voluntarily acquiring Citizenship of a foreign State not to be an Indian Citizen?
(a) 12 (b) 10 (c) 11 (d) 9
17. Who is authorized to lay down qualifications to acquire the Citizenship?
(a) Prime Minister (b) Parliament
(c) President (d) Speaker
18. Which of the following is a qualification to acquire Citizenship by Naturalization?
(a) A person is in service of Government of India from 12 months
(b) A person engaged in trade with the Indian citizen
(c) A person born in India
(d) A person who has completed his graduation within the territory of India
19. FRs are not applicable to
(a) Prime Minister (b) Armed Forces
(c) President (d) No such discrimination
20. Which Article of the Constitution empowers the Parliament to enact the provisions for acquisition and termination of Citizenship?
(a) 5 (b) 10 (c) 6 (d) 11

21. By which FR other FRs is protected?
(a) Right to Freedom (b) Right to Equality
(c) Right to Constitutional Remedies (d) None of these
22. Right to Property is a legal right under the Article ____.
(a) 300A (b) 300 (c) 301 (d) 31
23. Which of the following is not a FR? [Right to]
(a) Move freely (b) Assemble peacefully
(c) Property (d) Constitutional remedies
24. Which of the following has ceased to be a FR in the Indian Constitution? [Right to]
(a) Freedom of Speech (b) Property
(c) Form educational institutions (d) None of these
25. Which among the following is not a FR? [Right to]
(a) Equality (b) Against exploitation
(c) Strike (d) Freedom of religion
26. Which FR has been a subject of maximum controversy and litigation? [Right to]
(a) Religion (b) Freedom and Speech
(c) Constitutional remedies (d) Property
27. The Right to private property was dropped from the list of FRs by the (OR) Right to property took the shape of legal right by way of
(a) 44th Amendment (b) 42nd Amendment
(c) 40th Amendment (d) 24th Amendment
28. The Right to equality guaranteed by the Indian Constitution does not include
(a) Social Equality (b) Equality before Law
(c) Equal Protection of Law (d) Economic Equality
29. 'Equality before the Law' implies
(a) absence of any privilege in favor of any person
(b) equal opportunity in social and economic matters to all citizens
(c) that the Law should be same both in case of men and women
(d) that all the religions should be treated equally
30. Which Resolution for the first time expressed the concept of equality before the law?
(a) Cabinet Mission (b) Simon Commission
(c) Swaraj Bill (d) None of these

31. The FRs of the Indian Citizen were
- (a) Enshrined in Original Constitution
 - (b) Outlined in Act passed by Parliament in 1952
 - (c) Incorporated in the Constitution by 42nd Amendment
 - (d) Added by 44th Amendment
32. Which one of the FRs was described by Dr. B. R. Ambedkar as the 'Heart and Soul of the Constitution'? [Right to]
- (a) Property
 - (b) Constitutional Remedies
 - (c) Religion
 - (d) None of these
33. Which of the following confers upon the citizens the right to approach a court of law for the protection and restoration of FRs? (Right)
- (a) Liberty
 - (b) Right against exploitation
 - (c) Equality
 - (d) Constitutional Remedies
34. The Right to Constitutional Remedies are
- (a) Fundamental Rights
 - (b) Natural Rights
 - (c) Legal Rights
 - (d) Constitutional Rights
35. The Constitutional remedies under the Article 32 can be suspended by the
- (a) Supreme Court
 - (b) President
 - (c) Prime Minister
 - (d) Parliament
36. Writs can be issued for the enforcement of FRs by the
- (a) President
 - (b) Parliament
 - (c) Supreme Court
 - (d) Prime Minister
37. Which one of the following FRs is restrained by the Preventive Detention Act? [Right to]
- (a) Religion
 - (b) Freedom
 - (c) Equality
 - (d) Constitutional Remedies
38. Who enjoys the right to impose reasonable restrictions on the FRs of Indian citizen? (OR) Who has the power to empower the Courts other than the Supreme and High Courts to issue writs and order for the enforcement of the FRs?
- (a) Prime Minister
 - (b) Supreme Court
 - (c) President
 - (d) Parliament
39. Who can abridge any FR without damaging or destroying the basic features of the Constitution?
- (a) Prime Minister
 - (b) President
 - (c) Parliament
 - (d) Council of Ministers

40. Which one of the following Courts is responsible for the enforcement of FRs?
(a) High Courts (b) Supreme Court
(c) District and Sessions Courts (d) None of these
41. Which of the following is the guardian of the FRs of the citizens? (OR) Who is the Protector and Guarantor of the FRs?
(a) President (b) Supreme Court (c) Parliament (d) Lok Sabha
42. Any violation of FRs can be presented to
(a) High Court only
(b) Both Supreme and High Courts
(c) Supreme Court only
(d) All Courts within the territory of India
43. Who is authorized to impose restrictions on FRs?
(a) Executive
(b) Judiciary
(c) Legislature
(d) All of the above
44. The FRs of the Indian citizen
(a) can be suspended by the President during national emergency
(b) can be suspended by the President during all types of emergencies
(c) can be suspended by the President with the prior approval of Supreme Court
(d) can be suspended by the President under any conditions
45. FRs are
(a) Those basic conditions of social life without which a Citizen cannot be at his / her best self
(b) The Rights of the Police
(c) The Rights of the Rulers
(d) None of these
46. The FRs ensure the protection of
(a) Citizens against arbitrary rule
(b) People against exploitation by traders
(c) The pride of citizens
(d) Law and Order in the country
47. Our Constitution grants to the citizens _____ FRs.
(a) Five (b) Six (c) Ten (d) Seven

48. '*Ultra vires*' means
- (a) Error of Law (b) Procedural error
(c) Error in fact finding (d) Without authority
49. Who are not entitled to form Union?
- (a) Teachers (b) Students
(c) Police (d) Entrepreneurs
50. By the Citizenship Act of 1955, when he / she will be loosing the Citizenship?
- (a) Renunciation (b) Deprivation
(c) Termination (d) All of these
51. Who quoted 'Child of today is the Citizen of tomorrow'?
- (a) Jawaharlal Nehru (b) Vallabhbhai Patel
(c) Mahatma Gandhiji (d) B. R. Ambedkar
52. Generally, the census is conducted for _____ year(s).
- (a) 5 (b) 9 (c) 10 (d) 1
53. Who quoted 'Freedom is my Birth Right'?
- (a) Sardar Patel (b) Lokamanya Tilak
(c) Jawaharlal Nehru (d) M. K. Gandhiji
54. What is the age in years for casting their vote?
- (a) 21 (b) 19 (c) 20 (d) 18
55. Which Article and Amendment changes the right to vote from 21 to 18 years?
- (a) 320 and 16th (b) 365 and 61st (c) 326 and 61st (d) None of these
56. 'Creamy Layer' means
- (a) Persons having higher incomes (b) Highly cultured persons
(c) Persons holding high posts (d) Highly educated persons
57. 'Backward Class (BC)' can be classified into
- (a) More Backward Class (b) Highly Backward Class
(c) Most Backward Class (d) Moderately Backward Class
58. Mandal Commission deals with
- (a) Reservation for backward class people (b) Rights of the minority
(c) Laws relating to sexual harassment (d) Laws relating to child labour
59. This is one of the grounds for classification
- (a) Taxation (b) Annual income (c) Social status (d) Religion

60. 'Equal Protection of Law' means
- (a) the same law shall apply to all who are similarly situated
 - (b) the same law shall apply to all, irrespective of religion, race, caste
 - (c) there should not be any discrimination while protecting men and women
 - (d) laws applicable to backward class people should be same
61. Seats in Educational Institutions can be reserved for
- (a) Muslims
 - (b) Socially backward class people
 - (c) Educationally backward class people
 - (d) Socially and Educationally backward class people
62. Minimum percentage of reservation in a educational institution is
- (a) 70%
 - (b) 60%
 - (c) 50%
 - (d) 75%
63. Minority may be
- (a) regional or national
 - (b) linguistic or religious
 - (c) racial or regional
 - (d) national or racial
64. This is not the ground to impose restriction on Right of freedom of speech and expression
- (a) Public nuisance
 - (b) Friendly relations with foreign states
 - (c) Defamation
 - (d) Incitement to an offence
65. Which one of the following courts is responsible for the enforcement of FRs?
- (a) Any Courts
 - (b) High Court
 - (c) District and Sessions Court
 - (d) Supreme Court
66. Which one of the following statements is correct?
- (a) FRs are superior to the DPSP
 - (b) DPSP are superior to FRs
 - (c) There is no relationship between FRs and DPSP
 - (d) None of these
67. In which case did the Supreme Court restrict the authority of Parliament to amend FRs and declared these rights to be absolute, permanent and unalterable?
- (a) Minerva Mills Case
 - (b) Keshavananda Bharti Case
 - (c) Golak Nath Case
 - (d) None of these
68. In the famous Keshavananda Bharti V/s State of Kerala Case, the Supreme Court asserts the power of the parliament to amend the Constitution under Article 368 subject to
- (a) Certain implied and inherent limitation of not amending the Basic Structure of the Constitution
 - (b) No limitation whatsoever
 - (c) Can amend even the Basic Structure
 - (d) None of these

69. 'Rule of Law which permeates the entire fabric of the Indian Constitution excludes arbitrariness'. This principle is laid down in
- (a) Maneka Gandhi V/s Union Government Case
 - (b) Keshavananda Bharti Case
 - (c) Sunil Batra V/s Delhi Administration Case
 - (d) Vishaka V/s State of Rajasthan Case
70. The protection guaranteed under Article 21 is available even to convicts in jails. The convicts are not by mere reasons of their conviction deprived of the entire FRs which they otherwise possess. This is the principle laid down in
- (a) Sunil Batra V/s Delhi Administration Case
 - (b) Vishaka V/s State of Rajasthan Case
 - (c) Maneka Gandhi V/s Union Government Case
 - (d) Keshavananda Bharti V/s State of Kerala Case
71. Gender Equality includes protection from sexual harassment and right to work with dignity, which is universally recognized as basic Human Right. This principle is laid down in
- (a) M.C. Mehta V/s Union of India
 - (b) Maneka Gandhi V/s Union Government Case
 - (c) Indra Sawhney V/s Union of India
 - (d) Vishaka V/s State of Rajasthan Case
72. The Supreme Court held that the nuisance caused by the pollution of the river Ganga is a public nuisance which is wide spread and affecting the lives of large number of persons and therefore any particular person can take proceedings to stop it. This PIL is
- (a) M.C. Mehta V/s Union of India (1987)
 - (b) M.C. Mehta V/s Union of India (1988)
 - (c) D.S. Nakara V/s Union of India
 - (d) Peoples Union for Democratic Rights V/s Union of India
73. Charging capitation fees for admission to educational institutions is illegal and amounted to denial of citizen's right to education. This principle is laid down in
- (a) Minerva Mills V/s Union of India Case
 - (b) M.C. Mehta V/s Union of India Case
 - (c) Mohin Jain V/s State of Karnataka Case
 - (d) D.S. Nakara V/s Union of India Case
74. The right to establish an educational institution and imparting education is not a commercial activity. This principle is laid down in
- (a) Unnikrishnan V/s State of Andhra Pradesh Case
 - (b) Mohin Jain V/s State of Karnataka Case
 - (c) Minerva Mills V/s Union of India Case
 - (d) D.S. Nakara V/s Union of India Case

75. The principle of Judicial review of President's Rule in State under the Article 356 is laid down in
- (a) S.R. Bommai V/s Union of India
 - (b) Minerva Mills V/s Union of India
 - (c) Maneka Gandhi V/s Union Government
 - (d) Keshavananda Bharti V/s State of Kerala
76. Who among the following has voting rights?
- (a) A citizen of a State
 - (b) An adult resident citizen of a State
 - (c) Any inhabitant of a State
 - (d) An adult literate citizen of a State
77. The right to strike is
- (a) FDs
 - (b) DPSP
 - (c) FRs
 - (d) None of these
78. Which one is not a FR?
- (a) The Right to Equality
 - (b) The Right against Exploitation
 - (c) The Right to Strike
 - (d) The Right to Freedom of Religion
79. Which one of the following FRs has been subject of maximum litigation since the inauguration of the Constitution? (Right to)
- (a) Constitutional Remedies
 - (b) Freedom of speech
 - (c) Property
 - (d) Right against exploitation
80. The rule of Equality before law is not applicable to
- (a) Prime Minister
 - (b) Union Law Minister
 - (c) Chief Justice of India
 - (d) Governor of State
81. Right to Equality is guaranteed under the Article ____.
- (a) 13
 - (b) 14
 - (c) 16
 - (d) 15
82. Article 14 guarantees equality before the law to
- (a) Persons of Indian Origin
 - (b) Citizens of India
 - (c) All persons residing in the territory of India
 - (d) All persons
83. 'Right to Equality' means
- (a) permits the State to make special provisions for women, children and backward classes
 - (b) permits the State to make discrimination on ground of residence
 - (c) prevents the State from making special provisions for women, children and backward classes
 - (d) permits the State to nationalize all means of production and distribution

84. Equal opportunity in matters of public employment is guaranteed under the Article
(a) 14 (b) 17 (c) 16 (d) 15
85. Which among the following FRs abolishes discrimination?
(a) Cultural and Educational (b) Freedom of religion
(c) Against exploitation (d) Equality
86. Untouchability is associated with _____ inequality.
(a) Economic (b) Political (c) Social (d) Religious
87. 'Right to Freedom' can be restricted in the interest of
(a) Public order (b) Security of the State
(c) Friendly relations with foreign States (d) All of these
88. This is not the ground to impose restriction on the right of freedom of speech and expression.
(a) National security (b) Law and order
(c) Contempt of court (d) Morality or decency
89. Which one of the following right conferred by the Constitution is also available to non-citizens?
(a) Right to constitutional remedies
(b) Freedom to acquire property or to carry on any occupation, trade or business
(c) Freedom to move, reside and settle in any part of India
(d) Freedom of speech, assembly and association
90. The Sikhs in India are permitted to carry *Kirpans*. Under which FR are they permitted to do so?
(a) Right to freedom (b) Right to freedom of religion
(c) Right to life and liberty (d) None of these
91. Freedom of Speech under the Indian Constitution is subject to reasonable restrictions on the grounds of protection of
(a) Sovereignty and integrity of the country
(b) Dignity of the Office of the Prime Minister
(c) Dignity of the Council of Ministers
(d) All of the above
92. Which one of the following is considered as Bulwark of Democracy? (Right to)
(a) Move freely (b) Form Association (c) Speech (d) Of residence
93. One of the restrictions of freedom of speech and expression is
(a) Contempt of Court (b) Degrading the Office of the President
(c) Spreading discontent among the citizens (d) Holding unlawful assembly

94. At present, the Right to property is a
- (a) Natural Right
 - (b) Legal Right
 - (c) Fundamental Right
 - (d) Human Right
95. Which one of the following is not a FR? (Right to)
- (a) Equality
 - (b) Freedom
 - (c) Property
 - (d) Cultural and Education
96. The main objective of the cultural and educational rights granted to the citizens is to
- (a) Help the minorities to conserve their culture
 - (b) Evolve a single integrated Indian culture
 - (c) Preserve the rich cultural heritage of India
 - (d) All of the above
97. A person can move to Supreme Court directly in vent of violation of FRs under Article
- (a) 34
 - (b) 32
 - (c) 19
 - (d) 20
98. A citizen's FRs are protected
- (a) when the citizen approaches the court for remedy
 - (b) automatically by the Supreme Court
 - (c) by Parliament when the issue is brought before it by the executive
 - (d) by the executive when the citizen brings the issue before it
99. The FRs of a citizen can be suspended by the
- (a) Supreme Court
 - (b) Parliament through a law enacted by two-third majority
 - (c) President during a National Emergency
 - (d) None of these
100. For the enforcement of the FRs, the courts can issue
- (a) A Notification
 - (b) A Decree
 - (c) An Ordinance
 - (d) A Writ
101. Which FR granted by the Constitution prohibits traffic in human beings?
- (a) Right to freedom
 - (b) Right against exploitation
 - (c) Right to equality
 - (d) None of these
102. 'Traffic in Human beings' means
- (a) selling or purchasing men and women
 - (b) transporting human beings
 - (c) traffic in places having dense population
 - (d) illegal sale of human organs

103. Right against exploitation prohibits
- (a) Lending money at high interest (b) Women working at nights in factories
(c) Giving in marriage minor girls (d) Traffic in Human being
104. Right to practice and propagate any religion is the subject to
- (a) public consent (b) public interest
(c) public convenience (d) public order
105. Right to property was eliminated form the list of FRs during the tenure of
- (a) Rajiv Gandhi (b) Morarji Desai (c) Indira Gandhi (d) Charan Singh
106. Legal equality under the Indian Constitution implies that
- (a) there should be equality amongst equals and inequality among unequals
(b) the state cannot enact different laws for different groups of people
(c) everybody is equal before the law
(d) there should be no special law for any category of people
107. Who of the following can amend the FRs granted by the Constitution?
- (a) President (b) Supreme Court (c) Parliament (d) None of these
108. A citizen can directly move the Supreme Court for any violation of FR under the Article ____.
- (a) 31 (b) 33 (c) 32 (d) 34
109. The main objective of the FRs is to
- (a) ensure independence of judiciary
(b) promote a socialistic pattern of the society
(c) ensure individual liberty
(d) ensure all of them
110. Under the Indian Constitution, a citizen
- (a) can be deprived of life and liberty only in accordance with the procedure established by the law
(b) can be deprived of life and liberty by the President during Emergency
(c) cannot be deprived of life and liberty under any conditions
(d) none of these
111. Constitution grants Right against exploitation to "Children / Women / Tribals / Dalits"
- (a) C and T (b) C and W (c) C, W and T (d) W, T and D
112. Which of the Provision authorizes Parliament to discriminate in favor of women against men?
- (a) Article 15 (3) (b) Article 15 (1) (c) Article 16 (1) (d) All of these

113. Article 15 (3) confers a special provisions to
(a) Children (b) Women
(c) Women and Children (d) SCs and STs
114. Article 15 (4) confers a special provisions for the advancement of
(a) Children (b) Women and Children
(c) Women (d) SCs and STs
115. The prohibition imposed by the Article 20 is applicable to
(a) Civil cases (b) Criminal cases
(c) Constitutional cases (d) Cases of all types
116. The principle "No person shall be prosecuted and punished for same offence more than once" is
(a) Testimonial compulsion (b) Double jeopardy
(c) Ex-post facto law (d) None of these
117. If an Act is not an offence on the date of its commission, a law enacted in future cannot make it so, is the principle of
(a) Double jeopardy (b) Ex-post facto law
(c) Testimonial compulsion (d) None of these
118. 'Ex-post facto law' means
(a) passing criminal law with retrospective effect
(b) a law applicable only during emergency
(c) an invalid law
(d) an outdated law
119. An arrested person should be allowed
(a) to contact higher Police Officer (b) to contact nearest Magistrate
(c) to contact his Relatives (d) to consult his Lawyer
120. Every person who has been arrested has the right to be produced before the
(a) State Governor (b) Magistrate
(c) Supreme Court Judge (d) High Court Judge
121. A person arrested has to be produced before the Magistrate within
(a) one week (b) 48 hours
(c) 24 hours (d) four weeks
122. The right of the accused to be informed about his ground of arrest is
(a) Directory (b) Mandatory
(c) Discretion of the Executive (d) None of these

123. No person who is arrested shall be detained in custody without being informed
- (a) On the grounds for such arrest
 - (b) Of the orders of the court
 - (c) Of the time when he will be produced before the Magistrate
 - (d) None of these
124. The provisions enshrined under the Article 22 are
- (a) Directory
 - (b) Mandatory
 - (c) Discretion of the Judge
 - (d) Depends upon the nature of offence
125. Article 21A was inserted under our Constitution by way of ____ Constitutional Amendment.
- (a) 86th
 - (b) 73rd
 - (c) 44th
 - (d) 42nd
126. Earlier to 86th Amendment, Article 21A is in the form of
- (a) FRs
 - (b) FDs
 - (c) DPSP
 - (d) None of these
127. What is the object of Article 21A of the Constitution?
- (a) Higher Education
 - (b) Secondary Education
 - (c) Primary Education
 - (d) Post Graduation
128. Right to education guaranteed under the Article 21A shall be between the age group of
- (a) 1 to 14
 - (b) 7 to 15
 - (c) 5 to 14
 - (d) 6 to 14
129. Right to Primary Education guaranteed under the Article 21A was inserted into the Constitution by ____ Constitutional Amendment.
- (a) 74th
 - (b) 86th
 - (c) 97th
 - (d) 61st
130. Which of the following has been included in the list of FRs to Indian citizen?
- (a) Education to all children between 6-14 years of age
 - (b) Social security to every elder person
 - (c) Equal opportunities to every woman wishing to join Indian Defence Services
 - (d) Job to each and every single woman
131. Right to Education is a part of
- (a) Right to freedom and expression
 - (b) Right to social equality
 - (c) Right to life
 - (d) Right to freedom of profession and trade
132. Right to Life includes Right to
- (a) die
 - (b) make a will
 - (c) contest for election
 - (d) get education

133. Education has become the joint responsibility of the Center and State Governments through a Constitutional Amendment in
(a) 1977 (b) 1975 (c) 1976 (d) 1978
134. The Constitution does not protect the Right of the minority with regard to
(a) Culture (b) Cult (c) Script (d) Language
135. Which among the following Article guarantees the Right of minorities to establish and administer the educational institutions?
(a) 28 (b) 31 (c) 29 (d) 30
136. The Right to establish educational institutional under Article 30 is applicable to
(a) Citizens (b) Religious Minority
(c) Linguistic Minority (d) All persons
137. Right to Decent environment includes
(a) Right to religion
(b) Right to life
(c) Freedom to reside in any part of the country
(d) Right to equal protection of law
138. A person is detained under Preventive Detention Law when
(a) he is likely to cause harm to the public
(b) he has committed offences against the public
(c) he is about to escape from India
(d) he has violated law made by the Central Government
139. The forced labour does not include service rendered under
(a) moral force (b) physical force
(c) compulsion of economic circumstances (d) none of these
140. This is one of the basis for classification
(a) economic (b) geographical
(c) intelligible differentia (d) social and economic backward
141. Sexual harassment of working women is violation of
(a) Rule of Law (b) FDs (c) DPSP (d) FRs
142. The popular name for a nine-Judge Bench of the Supreme Court has in 'Indra Sawhney V/s Union of India Case' is
(a) Mandal Commission Case (b) Golak Nath V/s State of Punjab
(c) Keshavananda V/s State of Kerala (d) Minerva Mills V/s Union of India

143. The Freedom of speech and expression does not include
- (a) commercial advertisements
 - (b) calling for 'Bundh'
 - (c) the right to express ones own conviction
 - (d) the right to propagate the views of other persons
144. Freedom of press is included in Right to
- (a) carry any profession
 - (b) education
 - (c) personal liberty
 - (d) freedom of speech and expression
145. Freedom of press is protected under the Article
- (a) 19(1)(d)
 - (b) 19(1)(b)
 - (c) 19(1)(c)
 - (d) 19(1)(a)
146. 'Right to Privacy' includes Right to
- (a) practice any profession
 - (b) personal liberty
 - (c) reside in any part of India
 - (d) move freely throughout the territory of India
147. A citizen of India may be debarred from the Right to vote on the ground of
- (a) unsoundness of mind
 - (b) crime or corrupt or illegal practice
 - (c) non-resident
 - (d) All of these
148. Freedoms guaranteed under the Article 19 are suspended during emergency on the ground of
- (a) Internal disturbance
 - (b) War or external aggression
 - (c) Failure of constitutional machinery
 - (d) Financial crisis
149. Right to Freedom guaranteed under Article 19 ____ during emergency.
- (a) cannot be suspended
 - (b) can be restrained
 - (c) can be suspended
 - (d) cannot be restrained
150. Article 19(2) under the Indian Constitution speaks about
- (a) Legal Rights
 - (b) Absolute restrictions
 - (c) Reasonable restrictions
 - (d) None of these
151. India has recognized
- (a) No religion as National Religion
 - (b) Only one religion as National Religion
 - (c) Three religions as National Religion
 - (d) Five religions as National Religion

152. Freedom of religion guaranteed under the Article 25 is applicable to
(a) Citizens only (b) Persons residing within India
(c) Persons of Indian Origin (d) All persons
153. The secular provisions under the Indian Constitution are guaranteed under Article _____.
(a) 24 (b) 25 (c) 23 (d) 22
154. Article 25 guarantees freedom of religion, but it is subject to
(a) Public order (b) Morality (c) Health (d) All of these
155. 'Contempt of Court' places restriction on which of the following FR? (Right)
(a) Equality (b) Freedom
(c) Against exploitation (d) Constitutional remedies
156. Right to life and personal liberty guaranteed under Article 21 implies
(a) right of every human being to live with dignity
(b) mere animal existence
(c) right to survive
(d) right to live full life
157. Any law depriving personal liberty guaranteed under the Article 21 had to confirm with
(a) Both (b) and (c) (b) Article 20
(c) Article 22 (d) Article 19
158. Any law laid down by the Parliament to deprive the personal liberty should be
(a) Fair (b) Reasonable
(c) Just (d) All of these
159. This is not a Writ.
(a) Writ of Mandamus (b) Writ of Habeas Corpus
(c) Writ of Prevention (d) Writ of Certiorari
160. How many types of writs are there?
(a) 6 (b) 5 (c) 7 (d) None of these
161. Writ can be directly filed in the
(a) Magistrate Court (b) District and Sessions Court
(c) Court of Civil Judge (d) Supreme Court
162. The writ of *Habeas Corpus* is issued
(a) in the form of an order calling upon a person who has detained another person to bring that person before court and show authority for such detention
(b) by a superior court to the lower court directing it to transfer the record of proceedings in case for its review

- (c) by a superior court to a subordinate court to do something in the nature of its allotted duty
 - (d) in the form of an order to stop proceedings in a certain case
163. The writ of *Quo Warranto* is an order from a superior court
- (a) whereby it can call upon a person to show under what authority he is holding the office
 - (b) directing to produce a person detained by an official before the nearest court within 24 hours
 - (c) to an inferior court to stop proceedings in a particular case
 - (d) to the lower court to transfer a case pending before it to the superior court for trial
164. The writ of *Mandamus* is issued by a superior court to
- (a) to command a person or public authority to do something in the nature of the public duty
 - (b) to produce an illegally detained person before a court within 24 hours
 - (c) to command a person or public authority to stop proceedings in case in national interest
 - (d) in all these cases
165. The writ of *Certiorari* is issued by a superior court
- (a) to an inferior court to transfer the record of proceedings in a case for review
 - (b) to an inferior court to stop further proceedings in a particular case
 - (c) to an officer to show his right to hold a particular office
 - (d) to a public authority to produce a person detained by it before the court within 24 hours
166. The writ of *Prohibition* is issued by a superior court
- (a) to an authority to produce an illegally detained person before the court for trial
 - (b) to an inferior court or body exercising judicial or quasi-judicial functions to transfer the record of proceedings in a case for its review
 - (c) whereby it can call upon a person to show under what authority he is holding the office
 - (d) to prevent an inferior court or tribunal from exceeding its jurisdiction or acting contrary to the rules of natural justice
167. Writ of *Prohibition*
- (a) Prohibits a person to continue in a public post
 - (b) Prohibits judicial and quasi-judicial authority from taking an action
 - (c) Prohibits lower court exceeding its jurisdiction
 - (d) Prohibits police from interfering in one's private affairs

168. The writ issued by the superior court directing any constitutional, statutory or non-statutory agency from not continuing their proceedings is known as
- (a) Certiorari (b) Prohibition
(c) Mandamus (d) Quo Warranto
169. Writ of *Certiorari* is issued when a
- (a) judicial authority acts in excess of jurisdiction
(b) search warrant is issued against a person
(c) person is illegally detained
(d) person is illegally arrested
170. The writ in the form of order which removes a suit from an inferior court to superior court to prevent an excess of jurisdiction is known as
- (a) Habeas Corpus (b) Mandamus
(c) Quo Warranto (d) Certiorari
171. Exploitation of any sort is prohibited under the Article
- (a) 20 (b) 22 (c) 23 (d) 19
172. A laborer is entitled to get at least minimum wages, otherwise ____ Article is violated.
- (a) 24 (b) 23 (c) 19 (d) 14
173. Child labor is prohibited under the Article
- (a) 15(4) (b) 23 (c) 24 (d) 16(4)
174. Conflict of interest may be
- (a) imaginary (b) false (c) created (d) potential
175. A person is detained under the Special Law when
- (a) there is likelihood of committing offence against public
(b) there are chances of escaping from India
(c) he has committed civil wrong
(d) he has committed criminal offence
176. When a person is detained under a Special Law
- (a) An Advisory Board must be constituted within three months
(b) A charge sheet must be filed within three months in the proper court
(c) He should be produced within three months before the Magistrate
(d) He should be released within three months
177. Writ of Mandamus can be issued on the ground of
- (a) Unlawful detention (b) Non-performance of public duties
(c) Unlawful occupation of public office (d) All of these

178. Writ of Quo Warranto can be issued on the ground of
(a) To quash the order of the lower court (b) Unlawful detention
(c) Unlawful occupation of public office (d) All of these
179. Which of the following writ is issued by the Supreme Court if it sends an order to restrain a person from acting in an office to which he / she is not entitled?
(a) Certiorari (b) Mandamus (c) Habeas Corpus (d) Quo Warranto
180. Writ of Habeas Corpus means
(a) natural right (b) we command
(c) produce the body before the court (d) quashing order
181. Which one of the following is a bulwark of personal freedom?
(a) Mandamus (b) Habeas Corpus
(c) Certiorari (d) Quo Warranto
182. Which one of the following writs literally means 'you may have the body'?
(a) Habeas Corpus (b) Mandamus
(c) Quo Warranto (d) Certiorari
183. According to the Constitution guarantees FRs to
(a) All Muslims (b) All people in professions
(c) All Hindus (d) All citizens of India
184. Right to Property was excluded from the FRs during the tenure of the Government headed by
(a) Indira Gandhi (b) Charan Singh
(c) Morarji Desai (d) Rajiv Gandhi
185. The Right to Property was removed from the list of FRs enlisted in the Constitution of India through which one of the following Amendments?
(a) 44th (b) 76th (c) 23rd (d) 61st
186. The 44th Amendment of Constitution of India withdrew the FR is to
(a) Freedom of Religion (b) Against Exploitation
(c) Constitutional Remedies (d) Property
187. The Writs for the enforcement of FRs are issued by the
(a) President (b) Supreme Court
(c) Parliament (d) Election Commission
188. A Preventive Detention Act restrains the Right to
(a) Freedom of Movement (b) Freedom of Profession
(c) Education (d) Life and Liberty

189. Article 19 of our Constitution forms the core of the Chapter on FRs. The number of categories of Freedoms that an Indian citizen shall have is
(a) 9 (b) 7 (c) 8 (d) 6
190. What is the minimum permissible age in years of employment in any factory or mine?
(a) 18 (b) 16 (c) 14 (d) 20
191. Which Article of the Constitution of India says, "No child below the age of 14 years shall be employed to work in any factory or mine or engaged in any other hazardous employment?"
(a) 42 (b) 24 (c) 240 (d) 214
192. "Equality and arbitrariness are sworn enemies". This was said in the following Case:
(a) Royappa V/s Tamil Nadu State (b) A. K. Gopalan V/s State of Madras
(c) Maneka Gandhi V/s Union of India (d) Kharak Singh V/s State of UP
193. The Supreme Court of India has held that sexual harassment of working women amounts to violation of rights of gender equality and right to life and personal liberty. The Case in which the Apex Court held this was
(a) Hussainara V/s State of Bihar
(b) Smt. Gyan Kaur V/s State of Punjab
(c) Vishaka and Others V/s State of Rajasthan
(d) Nilabati Behera V/s State of Orissa
194. Consider the following statements:
(i) Free and compulsory education to the children of 6-14 years age group by the State was made a FR by the 76th Amendment to the Constitution of India
(ii) Sarva Shikshana Abhiyan seeks to provide computer education even in rural areas
(iii) Education was included in the Concurrent List by the 42nd Amendment, 1976 to the Constitution of India
Which of the following statement(s) given above is / are correct?
(a) ii and iii only (b) i and ii only (c) i and iii only (d) All statements
195. Which one is a newly added FR? (Right to)
(a) Assemble (b) Religion
(c) Property (d) Education of Children
196. FRs can be suspended during
(a) Calamities (b) Emergency
(c) Dissolution of Lok Sabha (d) Any time
197. Which one of the following pairs is correctly matched?
(a) Writ of Mandamus – Issued to the public servants
(b) Writ of Habeas Corpus – Issued only to the State
(c) Writ of Quo Warranto – Issued to the subordinate courts
(d) Writ of Prohibition – Issued to the private individuals

198. A Writ issued by the Supreme Court compelling a quasi-judicial / public authority to perform its mandatory duty is
- (a) Certiorari (b) Quo Warranto
(c) Mandamus (d) Prohibition
199. Writs are
- (a) Verdicts in writing
(b) Executive Orders
(c) Orders issued by courts to enforce obedience to laws
(d) None of these
200. Which one of the following pairs is not correctly matched?
- (a) Freedom of Conscience – Include the Right to worship at the temple at all hours of the day
(b) Right to Equality – Include the principle of Natural Justice
(c) Right to Life and Personal Liberty – Includes Right to carry on any trade or business
(d) Freedom of Speech and Expression – Include the Freedom of Press
201. The FRs are
- (a) Limitation upon individuals (b) Restriction upon the State power
(c) Limitation upon citizens (d) Limitation upon the State power
202. FRs are
- (a) Negative in nature (b) Positive and Negative
(c) Positive in nature (d) None of these
203. The FRs provided to the citizens are
- (a) Absolute
(b) Subject to reasonable restrictions
(c) Subject to limitations
(d) Subject to judicial review
204. Which important Human Right is protected in the Article 21 of Constitution of India? (Right to)
- (a) Life and Liberty
(b) Freedom of Speech and Expression
(c) Freedom of Religion
(d) Equality
205. Freedom from arbitrary arrest is provided under
- (a) Right to Equality (b) Right to Education
(c) Right to Personal Liberty (d) None of these
206. The number of Fundamental Freedoms are guaranteed by our Constitution are
- (a) Ten (b) Seven (c) Eight (d) Six

207. To prevent persons coming to India from Bangladesh, Sri Lanka and African countries to become Indian citizens a Citizenship (Amendment) Act was passed in the year
- (a) 1982 (b) 1984 (c) 1986 (d) 1980

III. DIRECTIVE PRINCIPLES OF STATE POLICY (DPSP)

1. The framers of our Constitution borrowed the concept of DPSP from the Constitution of (OR) The idea of DPSP is borrowed from the Constitution of
(a) France (b) USSR (c) Switzerland (d) Ireland
2. DPSP are contained in (OR) Welfare provisions under Indian Constitution are guaranteed under
(a) Part IV (b) Part III (c) Part II (d) Part I
3. Who described the DPSP as the 'Novel Feature of the Indian Constitution'?
(a) Madhava Rao N. (b) Motilal Nehru
(c) Ambedkar (d) L. M. Singhvi
4. The DPSP aim at
(a) providing a social and economic base for a genuine democracy in the country
(b) ensuring strengthening of the country's independence
(c) ensuring individual liberty
(d) none of these
5. DPSP are
(a) positive instructions to government to work for the attainment of set objectives
(b) negative injections to govt. to refrain from encroaching on freedom of people
(c) directives to the State to enhance the international prestige of the country
(d) directives to the government to pursue a policy of government
6. DPSP are in the nature of
(a) Limitations of State (b) Obligations to State
(c) Guidelines to State (d) None of these
7. The Constitution assures economic justice to the Indian citizens through
(a) FRs (b) DPSP (c) FDs (d) All of these
8. The DPSP are included in our Constitution from Articles
(a) 36 to 51 (b) 37 to 52 (c) 38 to 43 (d) 39 to 54
9. All of the following Articles deals with DPSP except
(a) 32 (b) 37 (c) 43 (d) 50
10. The DPSP are
(a) Legal Rights (b) Political Rights
(c) Constitutional Rights (d) Social Rights

11. The DPSP are
 - (a) Justiceable
 - (b) Sometimes justiceable
 - (c) Always justiceable
 - (d) Non-justiceable
12. By whom the DPSP be amended?
 - (a) Parliament, supported by more than 50% of States
 - (b) MPs of Lok Sabha and Rajya Sabha
 - (c) MPs of Rajya Sabha
 - (d) MPs of Lok Sabha
13. Planning in India derives its objectives from the
 - (a) Preamble
 - (b) DPSP
 - (c) FRs as well as DPSP
 - (d) None of these
14. The aim of the DPSP is to establish
 - (a) Capitalist State in our country
 - (b) Communist State in our country
 - (c) Welfare State in the country
 - (d) None of these
15. The enforcement of the DPSP depends on
 - (a) Resources available with the Government
 - (b) The Judiciary
 - (c) The will of the Government in the power
 - (d) All of the above
16. The DPSP may be classified into
 - (a) Socialists and Communists
 - (b) Gandhians, Liberals and Communists
 - (c) Liberals and Communists
 - (d) Socialist, Gandhians and Liberals
17. This Act was not passed to implement DPSP
 - (a) Forest Act
 - (b) Arms Act
 - (c) Water Pollution Act
 - (d) Maternity Benefit Act
18. Which one of the following is a DPSP?
 - (a) Raising the standards of living of the people
 - (b) Giving equal Rights to all people
 - (c) Giving freedom to all people
 - (d) Giving political rights to all people
19. Under which Article has the State been directed to secure for the citizens a Uniform Civil Code throughout the territory of India?
 - (a) 46
 - (b) 45
 - (c) 44
 - (d) 47

20. 'Common (Uniform) Civil Code' means
- (a) Common Civil law applicable to all
 - (b) Civil law applicable to Hindus, Muslims and Christians in certain matters
 - (c) Common Civil Procedure Code
 - (d) Common Civil law applicable to Common man
21. 'Uniform Civil Code' means
- (a) A codified law applicable to all persons of India irrespective of their religion
 - (b) A code related to individual's public life
 - (c) A code meant for Hindus only
 - (d) None of these
22. Which among the following DPSP that has not been implemented so far
- (a) Uniform Civil Code
 - (b) Promotion of International Peace and Security
 - (c) Separation of Judiciary from the Executive
 - (d) Organization of Panchayats
23. Article 51 mandates India's Foreign Policy to
- (a) Promote International Peace and Security
 - (b) Encourage settlement of international disputes by arbitration
 - (c) Maintain just and good relations between nations
 - (d) All of the above
24. The phrase 'Economic Justice' is found in
- (a) FRs and FDs
 - (b) Preamble and FRs
 - (c) Preamble and DPSP
 - (d) DPSP and FDs
25. The Right to adequate means of livelihood is to be provided by the State under the Article
- (a) 40
 - (b) 38
 - (c) 39
 - (d) None of these
26. Article 45 mandates the State to provide for
- (a) early childhood care and education for all children until they complete the age of 6 years
 - (b) free and compulsory education for all children
 - (c) free and compulsory education for children up to 14 years of age
 - (d) None of these
27. It is the obligation of the State to protect every monument or place or object of artistic or historic interest and of national importance under the Article
- (a) 50
 - (b) 49
 - (c) 48
 - (d) 48A

28. The DPSP seek
- (a) To make the Constitution an instrument of social change
 - (b) Strengthen Judiciary
 - (c) To curb the Authoritarian Rule
 - (d) To establish Supremacy of the Constitution
29. In which part of the Constitution does the concept of welfare finds elaboration?
- (a) Preamble
 - (b) FDs
 - (c) FRs
 - (d) DPSP
30. If India has to provide socio-economic welfare to its citizens, it should give enforceability to
- (a) FDs
 - (b) DPSP
 - (c) FRs
 - (d) None of these
31. Certain socio-economic provisions are guaranteed under the
- (a) Preamble
 - (b) FRs
 - (c) FDs
 - (d) DPSP
32. The State imposing tax on capital and wealth according to taxation laws is protected under Article
- (a) 45
 - (b) 40
 - (c) 39
 - (d) 50
33. According to the interpretation of the Supreme Court, the word 'Material Resources' means
- (a) Both Movable and Immovable property
 - (b) Movable property
 - (c) Immovable property
 - (d) None of these
34. "Distribution of material resources of the community as to sub-serve the common good" guaranteed under the Article 39B aim at the principle of _____ State.
- (a) Democratic
 - (b) Socialist
 - (c) Sovereign
 - (d) Secular
35. Who said in the Constituent Assembly that the DPSP are like a 'Cheque on a bank payable at the convenience of the bank'?
- (a) Nehru
 - (b) K. T. Shah
 - (c) B. R. Ambedkar
 - (d) K. M. Munshi
36. Which one of the following wanted the DPSP to be the basis for all future legislation?
- (a) K. M. Munshi
 - (b) Nehru
 - (c) B. R. Ambedkar
 - (d) B. N. Rau
37. Which Amendment of the Constitution accorded precedence to all the DPSP over FRs?
- (a) 39th
 - (b) 44th
 - (c) 42nd
 - (d) 24th
38. Which among the following articles guides the State to promote the welfare of the State?
- (a) 41
 - (b) 39
 - (c) 40
 - (d) 38
39. Which Article provides for the separation of Judiciary from the Executive?
- (a) 51
 - (b) 50
 - (c) 51A
 - (d) 48

40. Which Article recognizes International Law under the Constitution?
(a) 52 (b) 51 (c) 48 (d) 49
41. In which case did the Supreme Court strike down the Provisions of the Constitution that accorded primacy to DPSP over FRs?
(a) Minerva Mills Case (b) Keshavananda Case
(c) Golak Nath Case (d) None of these
42. Which part of the Constitution aims at establishing a Welfare State in the country?
(a) FRs (b) Preamble (c) DPSP (d) FDs
43. Under DPSP, the State is expected to provide free and compulsory education to all children up to the age (in years) of
(a) 24 (b) 16 (c) 18 (d) 14
44. Just and humane conditions of work and maximum living wages for workers is provided respectively under the Articles
(a) 42 and 43 (b) 39 and 41 (c) 40 and 41 (d) 43A and 44
45. The State is obligated to protect and improve the environment and safeguarding of forest and wildlife of the country under the Article
(a) 45 (b) 47 (c) 48A (d) 37
46. Protection and Improvement of environment and safeguarding of forest and wildlife under Article 48A is inserted into the Constitution by the _____ Amendment.
(a) 44th (b) 42nd (c) 52nd (d) 1st
47. Which one of the following is a DPSP?
(a) The State shall endeavor to protect and improve the environment
(b) Untouchability is abolished and its practice in any form shall be punishable by law
(c) The State shall not discriminate against any person on grounds of religion, race, caste, sex or place of birth
(d) The State shall not deny to any person equality before the law
48. The 42nd Amendment made additions to DPSP with regard to the following three matters.
1. Participation of workers in the management of industry
2. Minimizing inequality in income and status
3. Protection of the environment
4. Free legal aid to the poor

Select the correct answer from the codes given below:

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

49. Consider the following statements regarding the DPSP.
1. The framers of the Constitution borrowed the DPSP from the Government of India Act, 1935
 2. The DPSP aim at realizing the ideals of justice, liberty, equality and fraternity enshrined in the Preamble to the Constitution
 3. The DPSP have to be kept in mind by the government while formulating policies and framing laws
 4. The DPSP are justiceable
- Select the correct answer from the codes given below:
- (a) 2 and 3 (b) 1, 3 and 4 (c) 2, 3 and 4 (d) 2 and 4
50. Which one of the following DPSP is based on Gandhian Ideology?
1. Organization of Village Panchayats
 2. Compulsory education for all children up to the age of 14 years
 3. Prohibition on the use of intoxicating drinks except for medicinal purposes
 4. To work for the development of weaker or backward sections of the society
- Select the correct answer from the codes given below:
- (a) 2, 3 and 4 (b) 1 and 2 (c) 1, 3 and 4 (d) 1, 2, 3 and 4
51. Which amendment of the Constitution sought to enhance the importance of the DPSP by providing that no law passed to give effect to DPSP contained in Articles 39 (b) and (c) shall be deemed to be void on the ground that it abridges the rights conferred by the Articles 14 and 19?
- (a) 44th (b) 24th (c) 42nd (d) 25th
52. Which of the following factors has been responsible for the slow implementation of the DPSP?
- (a) Vastness of the country
 - (b) Lack of resources with the government
 - (c) Lack of political will
 - (d) All of the above
53. Which characteristic of the DPSP provided in the Indian Constitution is incorrect?
- (a) No law can be passed by legislature which is not in conformity with these principles
 - (b) Not enforceable by any court
 - (c) Moral guidelines for the Governors of the country
 - (d) Fundamental in the governance of the country
54. Which one of the following DPSP reflects Socialist Ideology?
- (a) to ensure a decent standard of living and leisure for all workers
 - (b) to provide adequate means of livelihood to all

- (c) to prevent concentration of wealth and means of production and to ensure equitable distribution of wealth and material resources
(d) All of these
55. The DPSP to be followed by the State for securing economic justice do not include
(a) equal pay for equal work
(b) to protect health and strength of the workers
(c) to secure Uniform Civil Code
(d) equal right of men and women to adequate means of livelihood
56. Which one of the following has been wrongly listed as a DPSP based on liberal principles?
(a) Separation of Executive and Judiciary
(b) Protection of monuments and places of artistic or historical importance
(c) Provision of a Uniform Civil Code for the country
(d) None of these has been wrongly listed
57. The DPSP
(a) cannot be enforced in any court
(b) can be enforced in High Court
(c) can be enforced only in Supreme Court
(d) can be enforced relating to SCs and STs only
58. This is not one of the DPSP
(a) take stringent measures to eliminate corruption
(b) to bring about prohibition of consumption of intoxicating drinks
(c) securing the level of nutrition
(d) securing equal pay for equal work for men and women
59. This is not a DPSP.
(a) Provide free legal aid
(b) Secure living wage
(c) Secure just and efficient judiciary
(d) Organize Village Panchayat
60. Free legal aid (Article 39A) is inserted under Indian Constitution by way of ____ Amendment.
(a) 44th
(b) 42nd
(c) 24th
(d) 25th
61. Village Panchayats (Article 40) are the best examples for India's ___ form of government.
(a) Secular
(b) Republican
(c) Sovereign
(d) Democratic

62. The Indian Constitution is silent as to which of the following DPSP?
- (a) Improving the standard of living of workers
 - (b) Free legal aid to poor
 - (c) Adult Education
 - (d) Equal pay for equal work
63. Which one of following reasons has been wrongly listed for the slow implementation of DPSP?
- (a) lack of resources with the government
 - (b) opposition from the society
 - (c) lack of political will
 - (d) difficulties arising due to vastness of the country
64. Which one of the following is not a DPSP?
- (a) maternity relief
 - (b) improvement of public health
 - (c) prohibiting the slaughter of cows
 - (d) none of these
65. Which one of the following DPSP did not form part of the original Constitution and was added subsequently through constitutional amendments?
- (a) to minimize inequality in income, status, facilities and opportunities amongst individuals and groups
 - (b) right of the workers to participate in the management of industries
 - (c) to protect and improve the environment and to safeguard forests and wildlife
 - (d) all of the above
66. In the event of non-enforcement of DPSP by the Government, a citizen of India can move the
- (a) Supreme Court
 - (b) District Court
 - (c) High Court
 - (d) None of these
67. Provisions for a welfare State in India are found in
- (a) FRs
 - (b) DPSP
 - (c) 8th Schedule
 - (d) None of these
68. In Gandhian Socialism,
- (a) State is required
 - (b) State is not required
 - (c) State is sometimes required and sometimes not required
 - (d) State is neither required nor not required
69. Which of the following statements regard to the DPSPs is correct?
- (a) The courts can compel the State to implement some of the important directives
 - (b) They enjoin on the State to secure a living wage to all workers within a specific period

- (c) They are justiceable in certain respects
(d) FRs constitute limitations upon State action, while DPSPs are in the nature of instruction to the Government to achieve certain ends
70. Which one of the following DPSP is a socialistic principle?
(a) Prevention of concentration of wealth and the means of production
(b) Protection of the health of workers
(c) Equal pay for equal work to all
(d) All of the above
71. The purpose of the inclusion of DPSP in the Indian Constitution is to establish
(a) Social democracy
(b) Gandhian democracy
(c) Social and Economic democracy
(d) Political democracy
72. DPSPs are the conscience of the Constitution, which embody the social philosophy of the Constitution. The above statement was stated by:
(a) K. C. Wheare
(b) Granville Austin
(c) B. R. Ambedkar
(d) H. M. Seervai
73. Slow implementation of DPSPs is due to
(a) Lack of political will
(b) Lack of resources
(c) Vastness of country
(d) All of these

IV. FUNDAMENTAL DUTIES (FDs)

1. The concept of FDs are borrowed from the Constitution of
(a) America
(b) Ireland
(c) Australia
(d) Russia
2. Which Committee recommended for the inclusion of FDs into the Constitution?
(a) Ashok Mehta
(b) Sardar Swaran Singh
(c) Balwanth Rai Mehta
(d) L. M. Singhvi
3. The FDs under the Indian Constitution are provided by
(a) An Amendment to the Constitution
(b) An Order of the President
(c) An Order of the Supreme Court
(d) A Legislation by the Parliament
4. FDs are applicable to all
(a) Foreigners
(b) States
(c) Citizens
(d) Persons
5. The FDs of the Indian citizens were
(a) Added to the Constitution by 42nd Amendment (11.12.1976)
(b) Enshrined in Original Constitution
(c) Added to the Constitution by 44th Amendment
(d) None of these

15. Under which Article the FDs are enshrined under the Indian Constitution?
(a) 52 (b) 51 (c) 51A (d) 50
16. The ratio between the length and breadth of the Indian National Flag is
(a) 2:3 (b) 3:4 (c) 3:2 (d) 1:2
17. Respecting our National Flag is a
(a) DPSP (b) FR (c) FD (d) None of these
18. To respect the National Flag and National Anthem is
(a) FRs of every citizen (b) FDs of every citizen
(c) DP to the State (d) None of these
19. National Song 'Bande Matharam' was written in 1875 by Bankimchandra Chatterjee in his novel
(a) Gitanjali (b) Ananda Thirtha
(c) Anand Math (d) Geetha Govinda
20. India's National Anthem 'Jana gana mana' was adopted by the Constituent Assembly as the National Anthem of India on 24th January 1950 and was first sung on
(a) 27th December, 1911 (b) 15th August, 1947
(c) 26th January, 1950 (d) None of these
21. The National Flag of India is a horizontal tri-color of deep Saffron (Kesari-representing courage and sacrifice) at the top, White (peace and truth) in the middle and deep Green (faith and chivalry) at the bottom in equal proportion and in the center Wheel (representing progression) was adopted by the Constituent Assembly of India on
(a) 20.07.1947 (b) 22.07.1947 (c) 15.08.1947 (d) 26.11.1949
22. The protection and improvement of environment including forest and wildlife of the country is enshrined in
(a) Both (b) and (c) (b) FDs (c) DPSP (d) FRs
23. The duty to protect and improve the environment is enshrined under the Article
(a) 51A (b) (b) 51A (f) (c) 51A (a) (d) 51A (g)
24. Which of the following is a FD of an Indian citizen?
(a) To cast his vote (b) To develop scientific temper
(c) To work for removal of literacy (d) To honor the elected leader
25. What is the main sanction behind the FDs?
(a) Moral (b) Social (c) Legal (d) All of these

26. Which FD has been wrongly listed as a duty of Indian citizen as outlined in Article 51A?
- (a) To practice family planning and control population
 - (b) To uphold and protect the sovereignty, unity and integrity
 - (c) To promote harmony and the spirit of common brotherhood among people of India
 - (d) To protect and preserve the natural environment
27. By what Amendment and with Year 'Child education is compulsory between ages of 06-14 years'?
- (a) 86 and 2000
 - (b) 86 and 2002
 - (c) 68 and 2002
 - (d) 68 and 2000
28. Obligation of the parents / guardian to provide opportunities for the education to their children between 6 to 14 years of age is
- (a) FRs
 - (b) FDs
 - (c) DPSP
 - (d) None of these
29. Which one of the following is / are FDs?
- (a) To uphold and protect the sovereignty of India
 - (b) To safeguard the public property
 - (c) To protect and improve environment
 - (d) All of the above
30. The FDs cannot be enforced by writs, they can be promoted by _____ method.
- (a) Legal
 - (b) Constitutional
 - (c) Statutory
 - (d) Resolutionary
31. The original text of the Constitution doesn't contain FDs, however it is inserted by way of _____ Amendment.
- (a) 42nd
 - (b) 44th
 - (c) 24th
 - (d) 1st
32. The 42nd Amendment introduced
- (a) DPSP
 - (b) FRs
 - (c) FDs
 - (d) None of these
33. It is the duty of every citizen of India to promote harmony and the spirit of common brotherhood amongst all people of India under Article
- (a) 51A (e)
 - (b) 51A (b)
 - (c) 51A (c)
 - (d) 51A (d)
34. FD under Article 51A (k) was inserted to the Constitution by _____ Amendment Act, 2002.
- (a) 84th
 - (b) 85th
 - (c) 86th
 - (d) None of these
35. FDs refers to
- (i) Ideals of the national struggle
 - (ii) Defend the country and render national service
 - (iii) Peaceful settlement of international disputes
 - (iv) None of these

9. The organ of the State implement and execute laws is known as
(a) Parliament (b) Legislature (c) Judiciary (d) Executive
10. 'Legislate' means
(a) form government
(b) make constitutional amendment
(c) make law
(d) put administrative machinery into action
11. 'Natural Justice' means
(a) just, fair and reasonable action
(b) justice according to providence
(c) justice not based on enacted law
(d) justice which is not based on technical formalities
12. Which of the following is not a function of judiciary?
(a) Issuing Writs
(b) Acting as the guardian of citizen's rights
(c) Catching criminals and punishing them
(d) Settling conflict between State and Center
13. Article 254 of the Constitution deals with
(a) dominance of Union laws over State laws in case of any conflict between the two
(b) exclusive power of the Union government to make laws on any matter not enumerated in the Concurrent and State Lists
(c) concurrent powers of the Union and States to legislate on matters enumerated in the List III
(d) power of Parliament to increase the number of Judges
14. Under the Indian Constitution, the subjects of administration have been divided into
(a) Six lists (b) Four lists (c) Five lists (d) Three lists
15. India is known as a Parliamentary Democracy because the
(a) Executive is responsible to the Parliament
(b) MPs are directly elected by the people
(c) President is not a MP
(d) Powers have been clearly distributed between Center and the States
16. In Parliamentary form of Government, the Council of Ministers are responsible to the
(a) President (b) Parliament (c) Prime Minister (d) Supreme Court

17. The President of India is an integral part of the
(a) Rajya Sabha (b) Lok Sabha
(c) Parliament (d) Council of Ministers
18. The Parliament may confer by law any functions on the authorities concerned except the
(a) Council of Ministers (b) Prime Minister
(c) President (d) Attorney General
19. All the Executive powers and the Defence forces of the Union shall be vested in the
(a) Home Minister (b) Prime Minister (c) Parliament (d) President
20. In India, Mandamus will lie against
(a) Both Officers and Government (b) Only Government
(c) Officers bound to do public duty (d) None of these
21. The power to establish new states in India rests with the
(a) President (b) Parliament
(c) Union Home Ministry (d) Both (a) and (b) jointly
22. When can the President refer a matter to the Supreme Court for its opinion?
(a) When a matter is of public importance
(b) When emergency has been promulgated
(c) When the Cabinet is not functioning properly
(d) Whenever the President feels like it
23. Which of the following is not a writ issued only by a superior court to an inferior court?
(a) Mandamus (b) Prohibition (c) Certiorari (d) None of these
24. The Supreme Court propounded 'The Theory of Basic Structure of the Constitution' in
(a) Keshavananda Bharti case (b) Minerva Mills case
(c) Golak Nath case (d) Gopalan V/s State of Madras
25. How many judges sat on the Bench to hear the landmark case of Keshavananda Bharti V/s State of Kerala in 1973?
(a) 11 (b) 13 (c) 9 (d) 7
26. Which of the following is not a constitutionally mandatory body? (Commission for)
(a) Election (b) National SC / ST
(c) Planning (d) Center-State Relations

27. The Appellate Jurisdiction of the Supreme Court does not involve in
(a) Disputes arising out of pre-constitution treaties and agreements
(b) Civil cases
(c) Cases involving interpretation of the Constitution
(d) Criminal cases
28. In India, the power of Judicial Review is enjoyed by the
(a) High Courts
(b) Supreme Court only
(c) Lower Courts only
(d) Supreme Court and High Court
29. The Chief Justice and other Judges of the High Court are appointed by the
(a) Chief Justice of India
(b) Governor
(c) President
(d) Chief Minister
30. In criminal matters, the highest court of appeal in a district is the
(a) Court of Second Class Magistrate
(b) Court of First Class Magistrate
(c) High Court
(d) Court of the Sessions Judge
31. A High Court for two or more States and or Union Territory may be established by
(a) State Governor
(b) President
(c) Chief Justice of India
(d) Law by Parliament
32. Golden Jubilee of Indian Parliament was celebrated on
(a) 13.05.2002
(b) 12.06.2002
(c) 15.08.2002
(d) 26.01.2002
33. Who is the integral part of the Indian Parliament?
(a) Governor
(b) Prime Minister
(c) President
(d) Speaker
34. Who represents the Nation but does not rule the Nation?
(a) Prime Minister
(b) President
(c) Council of Ministers
(d) Speaker of Lok Sabha
35. In the Presidential Election (Electoral College)
(a) Parity between the Center and the States has been maintained
(b) Center enjoys greater weightage
(c) States are given greater weightage
(d) None of these
36. Indian Constitution has distributed the powers between the Center and _____.
(a) Districts
(b) States
(c) Territories
(d) None of these
37. Who is the Chairman of the Rajya Sabha?
(a) The Prime Minister
(b) The President
(c) The Vice President
(d) None of these

38. The Speaker is elected by the Members of _____.
- (a) The President (b) Rajya Sabha
(c) The Prime Minister (d) Lok Sabha
39. The President of India is
- (a) Nominated (b) Selected
(c) Elected (d) Appointed
40. Who elects the President of India?
- (a) The Prime Minister (b) By Electoral College
(c) The Vice President (d) None of these
41. How many times the President can seek re-election to his post?
- (a) Thrice (b) Infinite times (c) Twice (d) Once
42. Who acts as the President when neither the President nor the Vice President is available?
- (a) Chief Justice of India (b) Speaker of Lok Sabha
(c) Chairman of Rajya Sabha (d) Attorney General of India
43. In the Presidential Election in India, every elected member of the Legislative Assembly of a State shall have as many votes as there multiples of one _____ in the quotient obtained by dividing the population of the state by the total number of elected members of the assembly.
- (a) Lakh (b) Thousand (c) Hundred (d) Ten
44. A Bill for the purpose of altering the boundaries of any State shall be introduced in either of the House of the Parliament with the recommendation of the _____.
- (a) Chairman of Rajya Sabha (b) Speaker of Lok Sabha
(c) President (d) Prime Minister
45. Which is the Committee recommended for the Reorganization of States?
- (a) Swaran Singh (b) Singhvi (c) Ashok Mehta (d) Fazal Ali
46. Which Act has been enacted by the Parliament by exercising its power under the Article 3 of the Constitution?
- (a) States Reorganization Act (b) Citizenship Act
(c) People's Representation Act (d) Anti-Defection Law
47. States will be reorganized by the Parliament under the Article 3 of the Constitution on the
- (a) Population basis (b) Linguistic basis (c) Caste basis (d) Religion basis
48. A Bill for the purpose of reorganization of states shall be introduced in either of House of the Parliament with the prior approval of the
- (a) Prime Minister (b) Speaker of Lok Sabha
(c) Chief Justice of India (d) President

49. India opted for a Federal form of government on the ground of
(a) Religion (b) Cultural integration
(c) Linguistic and Regional diversity (d) Administrative convenience
50. Who is the Commander-in-Chief of all the Armed Forces?
(a) The President (b) The Vice President
(c) The Prime Minister (d) None of these
51. What is the eligibility age and tenure of Office of President and Vice President?
(in years)
(a) 35 and 6 (b) 40 and 6 (c) 35 and 5 (d) None of these
52. How many Members can be elected for Lok Sabha and Rajya Sabha?
(a) 250 and 552 (b) 552 and 250 (c) 540 and 238 (d) 238 and 540
53. How many Anglo-Indian and other Members can be nominated by the President to the Lok Sabha and Rajya Sabha?
(a) 1 and 12 (b) 2 and 10 (c) 2 and 12 (d) 1 and 10
54. How many States and Union Territories are there in our country?
(a) 29 and 7 (b) 28 and 6 (c) 28 and 7 (d) 29 and 6
55. In which year, Delhi got the status of a State?
(a) 1994 (b) 1993 (c) 1995 (d) 1992
56. How many seats are reserved for the members of the Scheduled Tribes in the Lok Sabha?
(a) 40 (b) 20 (c) 50 (d) 30
57. Which of the following became the 28th State of the Indian Union?
(a) Jharkhand (b) Chattisgarh (c) Uttaranchal (d) Goa
58. Who will preside over the Joint Session of both the Houses of the Parliament?
(a) President (b) Speaker
(c) Prime Minister (d) Parliamentary Affairs Minister
59. Which of the following appointments is not made by the President of the Indian Republic?
(a) Speaker of Lok Sabha (b) Chief Justice of India
(c) Chief of Air Force (d) Chief Justice of High Court
60. The President will decide the question as to disqualification of the MPs in consultation with the
(a) Vice President (b) Prime Minister
(c) Speaker (d) Election Commissioner

61. Which Article empowers the President to give his assent to Bills?
(a) 123 (b) 100 (c) 111 (d) 200
62. Which Article authorizes the President to seek an advice from the Supreme Court?
(a) 134 (b) 143 (c) 124 (d) 142
63. In a Federation, the source of power for the States is the
(a) Federal Court (b) Electorate
(c) Constitution (d) Federal Legislature
64. How the Constitution of India has distributed the powers to different levels?
(a) Concurrent List (b) Central List (c) State List (d) All of these
65. How many subjects are there in the Central, State and Concurrent Lists?
(a) 97, 66 and 47 (b) 66, 97 and 47 (c) 47, 66 and 97 (d) None of these
66. The Central, State and Concurrent Lists indicates division of
(a) Financial powers
(b) Administrative powers
(c) Legislative powers
(d) Judicial powers between Center and State
67. Economic Planning is a subject in the
(a) State List (b) Union List (c) Concurrent List (d) None of these
68. Railways is a subject under ____ List.
(a) Residuary (b) State (c) Concurrent (d) Union
69. Lotteries organized by the State Government come under ____ List.
(a) Federal (b) Union (c) Concurrent (d) State
70. Distribution of subjects between the Center and the States is enumerated under ____ Schedule.
(a) 8th (b) 7th (c) 1st (d) 5th
71. Sarkaria Commission was appointed by the Government to report on
(a) Center-State Relations (b) Electoral Reforms
(c) Inter-State Disputes (d) Tribal Development
72. Planning in India derives its objectives from
(a) Preamble (b) FDs (c) FRs (d) DPSP
73. Which of the taxes is exclusively assigned to Central Government by the Constitution?
(a) Taxes of Railways (b) Estate Tax
(c) Corporation Tax (d) Sales Tax

74. The other names for Rajya Sabha (Permanent Body) are
(a) Upper House / House of States (b) Lower House / House of States
(c) Upper House / House of People (d) Lower House / House of People
75. The other names for Lok Sabha (Temporary Body) are
(a) Lower House / House of People (b) Upper House / House of People
(c) Lower House / House of States (d) Upper House / House of States
76. The word 'Parliament' is derived from the French word 'Parler' which means
(a) To pass Bill (b) To vote (c) To talk (d) To assemble
77. Parliament of India is composed of
(a) Lok Sabha and Rajya Sabha
(b) Lok Sabha, Rajya Sabha and President
(c) Lok Sabha and Council of Ministers
(d) President, Council of Ministers
78. The first session of the Parliament after the General Election is
(a) Directory (b) Mandatory (c) Discretionary (d) No such rule
79. The first session of the Parliament is called as _____ Session.
(a) Primary (b) Winter (c) Monsoon (d) Budget
80. Lok Sabha is superior to the Rajya Sabha because
(a) it can oust the Council of Ministers through a vote of no-confidence
(b) it is directly elected
(c) it alone controls the purse
(d) all of the above
81. How many MPs of Lok Sabha shall support a motion of 'No Confidence' in the government, before it can be admitted by the Speaker?
(a) 45 (b) 55 (c) 50 (d) 35
82. Which among the following is identified as the 'Democratic Chamber'?
(a) Rajya Sabha (b) Lok Sabha
(c) Both Lok Sabha and Rajya Sabha (d) State Legislative Council
83. Which among the following is described as 'Knowledge House'?
(a) Lok Sabha (b) Rajya Sabha
(c) Both Lok Sabha and Rajya Sabha (d) None of these
84. Composition and function of Rajya Sabha points towards _____ Character.
(a) Unitary (b) Quasi-federal (c) Federal (d) Quasi-unitary

85. What is the method of electing members of Rajya Sabha from Union Territories?
(a) as law laid down by the Parliament (b) in direct election
(c) proportional representation (d) universal adult franchise
86. The representation to the States in the Rajya Sabha is given by
(a) in proportion to the State population
(b) on the basis of equality
(c) in proportion to the MLAs
(d) in proportion to the territory of the State
87. Which of the following is not done by the Parliament?
(a) Adjournment of the Houses of the Parliament
(b) Prorogation of the Houses of Parliament
(c) Summoning the Houses of the Parliament
(d) Dissolving the Lok Sabha
88. The President of India may from time to time
(a) dissolve the Rajya Sabha (b) adjourn the Rajya Sabha
(c) dissolve the Lok Sabha (d) adjourn the Lok Sabha
89. The President and Governors are immune from ____ during their term of Office.
(a) Criminal liability (b) Civil liability
(c) Both (a) and (b) (d) None of these
90. Which Article of the Constitution gives the protection to the President and Governors?
(a) 14 (b) 352 (c) 370 (d) 361
91. To contest for the election of Lok Sabha, the person
(a) should be citizen of India
(b) should be resident of India for at least 10 years
(c) should be resident of India for at least 12 years
(d) should be resident of India for at least 5 years
92. An Ordinance promulgated by the President when one House is in session is
(a) Illegal (b) Void (c) Unlawful (d) Valid
93. The Ordinance making power of the President is subjected to the control of the
(a) Cabinet Minister (b) Supreme Court (c) Parliament (d) Prime Minister
94. An Ordinance can be promulgated on the subject mentioned in
(a) List I and List III (b) List II
(c) List I (d) Lists I, II and III

95. Parliament has exclusive power to make laws with respect to any matter enumerated in
(a) List III (b) List II (c) List I (d) All of these
96. State Legislature has exclusive power to make laws with respect to any matter enumerated in
(a) List I (b) List II (c) List III (d) All of these
97. If any matter is not enumerated either under the Concurrent List or under State List then who has the power to legislate on such matters?
(a) Supreme Court (b) State Government only
(c) Panchayat Raj Institutions (d) Parliament only
98. Who has the power to make laws on the subjects enumerated under List III of 7th Schedule?
(a) State Government
(b) Only Parliament
(c) Only State Legislature
(d) Both Parliament and State Legislature
99. A Resolution passed by the Rajya Sabha empowering the Parliament to legislate under List II on National interest should be supported by
(a) Two-third majority
(b) Two-third members present and voting
(c) One-third members present and voting
(d) Majority in the House
100. Parliament has power to legislate under the State List on the ground of National Interest if
(a) Rajya Sabha passes a Resolution to that effect
(b) Lok Sabha passes a Resolution to that effect
(c) State Lok Adalat passes a Resolution to that effect
(d) State Lower Court passes a Resolution to that effect
101. A Resolution passed by the Rajya Sabha empowering the Parliament to legislate under State List shall remain in force for a maximum period of
(a) Two years (b) One year
(c) Six months (d) Ninety days
102. Law made by the Parliament on any subject is
(a) Uniformly applicable to all States
(b) Applicable to only those States which give consent
(c) Discretion of the state Governments
(d) None of these

103. The law made by the Parliament
- (a) Cannot be declared as extra-territorial
 - (b) Can be declared as extra-territorial
 - (c) Can be declared as extra-territorial only by the Supreme Court
 - (d) Can be declared as extra-territorial by any High Courts
104. If the law made by the Parliament is inconsistent with the law made by the State Legislature under the List III, which law has the effect?
- (a) Law made by the State Legislature
 - (b) Law made by the Parliament
 - (c) Law which is former
 - (d) Law which is later
105. A Fund which is utilized to meet the unforeseen expenditure is entitled as
- (a) Contingency Fund
 - (b) Consolidated Fund
 - (c) Unforeseen Expenditure Fund
 - (d) None of these
106. The usual expenditure of the Government of India is charged from
- (a) Consolidated Fund
 - (b) Contingency Fund
 - (c) Sales Tax Fund
 - (d) Income Tax Fund
107. The Custody of Contingency Fund of India is with the
- (a) Finance Minister
 - (b) Prime Minister
 - (c) President
 - (d) Comptroller and Auditor General
108. What is the term of the Parliamentary Committees appointed by the President?
- (a) Five years
 - (b) One year
 - (c) Six months
 - (d) Till the Lok Sabha is dissolved
109. A Select or Joint Committee of the two Houses of a Parliament is formed by
- (a) Speaker in consultation with the Prime Minister
 - (b) Speaker of the Lok Sabha and Chairman of the Rajya Sabha
 - (c) Speaker in consultation with the President
 - (d) Speaker of the Lok Sabha
110. Which of the following has been wrongly listed as a Standing Joint Committee of the two Houses of the Parliament?
- (a) Committee on Government Assurances
 - (b) Committee on Salaries and Allowances of MPs
 - (c) Committee on Offices of Profit
 - (d) Committee on Welfare of SCs and STs
111. Which of the following Committees of the Parliament has the largest membership?
- (a) Business Advisory Committee
 - (b) Public Accounts Committee
 - (c) Estimate Committee
 - (d) Committee on Public Undertakings

112. Parliament Standing Committee for scrutiny of grants of various ministries comprises of
- (a) 30 members of Lok Sabha and 15 members of Rajya Sabha
 - (b) 25 members of Lok Sabha and 10 members of Rajya Sabha
 - (c) 20 members of Lok Sabha and 10 members of Rajya Sabha
 - (d) 10 members of Lok Sabha and 5 members of Rajya Sabha
113. The Parliamentary Subject Committees (Number of Committees: 17) were introduced in 1993 on the recommendation of the
- (a) Joint Parliamentary Committee set up in 1990
 - (b) Rules Committee of the House
 - (c) Leaders of all political parties represented in Parliament
 - (d) Minister for Parliamentary Affairs
114. The main advantage of the Standing Committee is the
- (a) Parliament is able to examine the grants of all ministries and departments in detail
 - (b) Parliament is able to concentrate on the examination of the demands of some ministries
 - (c) Parliament is absolved of the responsibility of examining the grants of all ministries and departments
 - (d) None of these
115. One of the main advantage of the Standing Committee is
- (a) MPs of Rajya Sabha are able to exercise indirect control over financial matters
 - (b) Members of Council of Ministers are able to serve on the Standing Committees
 - (c) Discussion on the Budget is held simultaneously in the Parliament and the Standing Committees
 - (d) None of these
116. The Standing Committee, apart from examining the grant of all Ministries and Departments, are able to examine
- (a) Long-term policies
 - (b) Bills of technical nature
 - (c) Annual reports of Ministries and Departments
 - (d) All of the above
117. When an advance grant is made by Parliament pending regular passage of the Budget, it is called
- (a) Supplementary Account
 - (b) Token Account
 - (c) Vote of Account
 - (d) Vote of Credit
118. Who is having the power to summon and dissolve the House of Parliament (LS)?
- (a) Prime Minister
 - (b) Vice President
 - (c) Chief Justice of India
 - (d) President

119. Which Budget will be proposed first in the Parliament House?
(a) General Budget (b) Railway
(c) Financial (d) None of these
120. Usually, General Budget is presented to the Parliament on
(a) Last day of February (b) Last day of March
(c) First day of February (d) First day of March
121. The first session of the year commences with the address by the _____ in the Parliament.
(a) Prime Minister (b) Vice President
(c) President (d) Speaker
122. The first hour of every sitting in both the Houses of Parliament is devoted to
(a) Question Hour (b) Zero Hour (c) One Hour (d) None of these
123. What are the timings followed for the *Question Hour* in the Parliament House?
(a) 12 to 1 (b) 11 to 12 (c) 10 to 11 (d) None of these
124. What are the timings followed for the *Zero Hour* in the Parliament House?
(a) 11 to 12 (b) 2 to 3 (c) 12 to 1 (d) None of these
125. The maximum duration of the *Zero Hour* (in minutes) in Lok Sabha can be
(a) 30 (b) 60 (c) 120 (d) unspecified
126. *Zero Hour* is
(a) The period immediately following the Question Hour when the Members voice their concerns on various matters of public importance
(b) An hour when Money Bills are introduced
(c) The period exclusively reserved for introduction of private member Bills
(d) The period of recess intervening between the two sessions of the Parliament
127. The immediate hour after the *Question Hour* in Lok Sabha is called as
(a) Second Hour (b) Special Hour (c) Answer Hour (d) Zero Hour
128. Who presides over the joint sessions of Parliament?
(a) President (b) Vice President (c) Speaker (d) Prime Minister
129. What is the minimum age in years for becoming the MP at Lok Sabha and Rajya Sabha?
(a) 25 and 30 (b) 30 and 25 (c) 18 and 25 (d) 25 and 18
130. Which of the following shall not be introduced in the Rajya Sabha?
(a) Union Budget (b) Money Bill
(c) Constitutional Amendment (d) None of these

131. The system of Impeachment of the President is borrowed from the Constitution of
(a) Canada (b) Russia (c) America (d) Britain
132. Who can be removed for violation of Constitution by a process called as Impeachment Motion?
(a) Prime Minister (b) President
(c) Council of Ministers (d) Chief Justice of India
133. The seat of a MP may be declared vacant, if he / she is, without the permission of the House absent from the meeting of that House for a period of _____ days.
(a) 30 (b) 60 (c) 90 (d) 45
134. Till now, any President has been removed under the Motion of Impeachment?
(a) Twice (b) Once (c) No (d) None of these
135. Under which Article of the Indian Constitution can the President be impeached?
(a) 356 (b) 76 (c) 75 (d) 61
136. Impeachment proceedings against the President shall be initiated in
(a) Rajya Sabha only (b) Lok Sabha only
(c) Either of the Houses (d) None of these
137. The ground for the Impeachment of President is
(a) violation of the Constitution
(b) misbehavior with the foreign dignitaries
(c) unable to discharge his duties due to old age
(d) failure to follow the advice given by the Prime Minister
138. The Indian President can be impeached by the Parliament if
(a) He is charged with the violation of the Constitution
(b) He has grown quite old and does not possess the capacity to discharge the onerous duties of his Office
(c) He is suffering from an incurable disease
(d) He refuses to sign a Bill passed by the Parliament
139. Which one of the following takes part in the election of the President but has no role in his impeachment?
(a) State Legislative Councils (b) State Legislative Assemblies
(c) Lok Sabha (d) Rajya Sabha
140. The salary / emoluments of which of the following is exempted from Income Tax?
(a) Election Commissioner (b) Chief Justice of India
(c) President (d) None of these

141. Which one of the following statements is correct?
- (a) President is not a part of Council of Ministers and hence not permitted to attend its meetings
 - (b) President can attend meetings of the Council of Ministers during emergency
 - (c) President is a part of the Council of Ministers but is not permitted to attend its meetings
 - (d) President is not a member of Council of Ministers but can attend its meetings
142. A Bill presented in the Parliament becomes an Act after
- (a) The President has given his assent
 - (b) The Supreme Court has declared it to be within the competence of Union Parliament
 - (c) The Prime Minister has signed it
 - (d) It is passed by the both the Houses
143. Who occupied the President's Office twice (two consecutive terms) in our country?
- (a) V. V. Giri
 - (b) S. Radhakrishnan
 - (c) Rajendra Prasad
 - (d) A. P. J. Abdul Kalam
144. Veto is the power of the _____ to withhold or refuse assent to Legislation.
- (a) Judiciary
 - (b) Legislature
 - (c) Executive
 - (d) All of these
145. Vice President of India draws salary in the designation of
- (a) President
 - (b) Speaker of Lok Sabha
 - (c) Vice President
 - (d) Chairman of Rajya Sabha
146. Who will elect the Vice President of India?
- (a) MP (Rajya Sabha and Lok Sabha)
 - (b) MP (Rajya Sabha)
 - (c) MP (Lok Sabha)
 - (d) President
147. Which of the following is presided over by a non-member?
- (a) Rajya Sabha
 - (b) Lok Sabha
 - (c) Vidhana Sabha
 - (d) Vidhana Parishad
148. Full form of PIL is
- (a) Public Interest Legislation
 - (b) Public Interest Litigation
 - (c) Private Interest Litigation
 - (d) Private Interest Legislation
149. PIL can be resorted to in case of injury due to
- (a) Violation of a constitutional provision
 - (b) Breach of any public duty
 - (c) Violation of the law
 - (d) All of these
150. The Concept of Public Interest Litigation, which has become more popular in India in recent years, originated in
- (a) USA
 - (b) UK
 - (c) Australia
 - (d) Canada

151. Who has the power to pardon in case of capital punishment?
(a) Chief Justice (b) President
(c) Prime Minister (d) Attorney General of India
152. Which Article empowers the President to grant pardon?
(a) 74 (b) 73 (c) 72 (d) 75
153. The pardoning power shall be exercised by the President on the advice of the
(a) Prime Minister (b) Home Minister
(c) Chief Justice of India (d) None of these
154. Who is authorized to transfer the judge of one High Court to another High Court?
(a) Union Law Minister
(b) Chief Justice of India
(c) A Collegium of Judges of the Supreme Court
(d) President
155. Which of the following Constitutional post(s) is / are enjoyed for a fixed term?
(a) Governor (b) Prime Minister (c) Chief Justice (d) President
156. The Constitution of India vests the executive powers of the Union Government in
(a) President (b) Prime Minister
(c) Council of Ministers (d) All three
157. Which Article empowers the President to appoint Prime Minister of India?
(a) 76 (b) 75 (c) 74 (d) 77
158. Joint Session of Parliament was held in
(a) Prevention of Terrorism Ordinance, 2002
(b) Dowry Prohibition Bill, 1961
(c) Banking Service Commission Bill, 1978
(d) All of the above
159. Joint Sittings of the two Houses of Parliament are hold for
(a) Resolution of deadlock between the two Houses on a non-money Bill
(b) Annual address by the President
(c) Special address by the President
(d) All of the above
160. The House of People (Lok Sabha) can be adjourned *sine-die* by the
(a) Prime Minister (b) Speaker (c) President (d) None of these
161. The President of India is the
(a) Head of the Government (b) Head of State
(c) Head of State and Government (d) None of these

162. The President of India is
- (a) Elected through Electoral college
 - (b) Directly elected by the people
 - (c) Elected by the two Houses of Parliament at a joint sitting
 - (d) Elected by the Lok Sabha
163. The President holds Office for a term of five years
- (a) from the date on which he / she enters upon the Office
 - (b) from the date on which he / she is elected
 - (c) from the date determined by the Parliament
 - (d) from the date notified by the Election Commission
164. The practice of President addressing Parliament has been adopted from Constitution of
- (a) Russia
 - (b) USA
 - (c) UK
 - (d) Canada
165. Which one of the following does not take part in the election of the President?
- (a) Members-Legislative Councils
 - (b) Elected Members-Rajya Sabha
 - (c) Elected Members-Lok Sabha
 - (d) None of these
166. The name of the candidate for the Office of the President of India has to be proposed by
- (a) any 50 members of the Electoral College
 - (b) any 5 MPs
 - (c) 5 members of the Electoral College
 - (d) any 50 citizens
167. Who was the first President of the Indian Republic?
- (a) Giri
 - (b) Radhakrishnan
 - (c) Zakir Hussain
 - (d) Rajendra Prasad
168. Who among following got Bharat Ratna Award before becoming the President of India?
- (a) Radhakrishnan
 - (b) Rajendra Prasad
 - (c) Zakir Hussain
 - (d) Giri
169. Who is the following enjoys the distinction of being the first Muslim President of India?
- (a) Zakir Hussain
 - (b) Fakkrudin Ali Ahmed
 - (c) Maulana Abul Kalam Azad
 - (d) None of these
170. Which one of the following was elected President of India unopposed?
- (a) Rajendra Prasad
 - (b) Neelam Sanjeeva Reddy
 - (c) Radhakrishnan
 - (d) Narayanan

171. Which one of the following political leaders successfully held the Office of the Chief Minister, Speaker of Lok Sabha and President of India?
- (a) Neelam Sanjeeva Reddy (b) Zail Singh
(c) Fakkrudin Ahmed (d) None of these
172. Which one of the following Chief Justice of India enjoys the distinction of having acted as President of India?
- (a) Justice P. N. Bhagwati (b) Justice Mehar Chand Mahajan
(c) Justice M. Hidayatullah (d) None of these
173. The election of the Office of the President is conducted by
- (a) Prime Minister (b) Speaker-Lok Sabha
(c) Election Commission (d) Minister of Parliamentary Affairs
174. Before entering upon Office, the President has to take an oath or an affirmation, which is administered by
- (a) Lok Sabha Speaker (b) Chief Election Commissioner
(c) Vice President (d) Chief Justice of India
175. The procedure for the election of the President of India can be modified through an Amendment in the Constitution which must be passed by
- (a) two-thirds majority by both Lok Sabha and Rajya Sabha and be ratified by the Legislatures of at least half of the states
(b) two-thirds majority by Rajya Sabha
(c) two-thirds majority by both Lok Sabha and Rajya Sabha
(d) two-thirds majority by Lok Sabha
176. To amend the Constitution to change the procedure of election of the President of India, the Bill has to be passed by
- (a) Special majority, ratified by more than half of the States
(b) Special majority and consented by the Chief Justice of India
(c) Special majority
(d) Simple majority
177. The President can nominate two members of the Lok Sabha to give representation to
- (a) Parses (b) Indian Christians
(c) Buddhists (d) Anglo-Indians
178. The President, the Head of the State under the Parliamentary system prevailing in India, enjoys
- (a) no powers (b) only nominal powers
(c) limited but real powers (d) absolute powers

179. The final authority to make a Proclamation of Emergency rests with
- (a) Council of Ministers
 - (b) Parliament
 - (c) President
 - (d) Prime Minister
180. The President can grant pardon in
- (a) All cases of punishment by court martial
 - (b) All cases involving death sentence
 - (c) All offences against laws in the union and concurrent lists
 - (d) All of the above
181. The President of India is not having
- (a) Executive power
 - (b) Power to control Judiciary
 - (c) Diplomatic power
 - (d) Legislative power
182. Which one of the financial powers is enjoyed by the President?
- (a) Money Bills can be introduced in the Parliament
 - (b) The President appoints a Finance Commission to recommend the distribution of taxes between Union and State Governments
 - (c) The President can advance money out of the Contingency Fund of India
 - (d) All of the above
183. The President can make laws through ordinances
- (a) during the recess of the Parliament
 - (b) on certain subjects even when Parliament is in session
 - (c) only on subjects contained in the concurrent list
 - (d) under no circumstances
184. Where are disputes regarding election of President and Vice President filed and settled?
- (a) Election Commission
 - (b) Supreme Court
 - (c) Parliament
 - (d) High Courts
185. If the President wants to tender the resignation before expiry of normal term, he / she has to address the same to
- (a) Parliament
 - (b) Prime Minister
 - (c) Vice President
 - (d) Chief Justice of India
186. The President of India is elected by
- (a) Rajya Sabha members
 - (b) People directly
 - (c) Elected MLAs and MPs
 - (d) MPs (Rajya Sabha and Lok Sabha)
187. To be eligible (age in years) for appointment as President, a candidate must be
- (a) over 60
 - (b) over 35
 - (c) over 65
 - (d) there is no age limit prescribed by Constitution

188. When does the President uses his discretion in appointing the Prime Minister?
- (a) When no political party enjoys majority in Lok Sabha
 - (b) When Lok Sabha has been dissolved
 - (c) When the Prime Minister defects from his party and joins another party
 - (d) Never
189. The Constitution prohibits to enact retrospectively
- (a) Laws relating to the election of the President
 - (b) Civil Law
 - (c) Criminal Law
 - (d) Laws relating to the women's right to property
190. What is the maximum age (in years) for election to the Office of the President?
- (a) 75
 - (b) 65
 - (c) 70
 - (d) No age limit
191. President can be impeached from Office on grounds of violating the Constitution by
- (a) High Court
 - (b) Supreme Court
 - (c) Two Houses of Parliament
 - (d) Lok Sabha
192. Impeachment proceedings against the President of India can be initiated
- (a) in either of the Parliament
 - (b) only in Lok Sabha
 - (c) by the Supreme Court
 - (d) none of these
193. Impeachments proceedings can be initiated against the President in either of House of Parliament only if a resolution signed by _____ members of the House is moved.
- (a) 15% of total
 - (b) 20% of total
 - (c) 25% of total
 - (d) 10% of total
194. This is not the legislative power of the President
- (a) to grant pardon
 - (b) assent to legislation
 - (c) summon each of the House
 - (d) nominate 12 members to Rajya Sabha
195. When the election of the President is declared void, all acts done by the President in the performance of the duties of his Office before the date of decision become
- (a) unlawful
 - (b) invalid
 - (c) illegal
 - (d) valid
196. In the event of death or resignation of the President, the Vice President discharges the duties of the office of President
- (a) For a maximum period of four months
 - (b) For a maximum period of six months
 - (c) For a maximum period of one year
 - (d) For the rest of the term

197. In case the Vice President is not available to discharge the duties of the Office of President, which official discharges these duties?
- (a) Speaker of Lok Sabha (b) Prime Minister
(c) Chief Justice of India (d) None of these
198. Which one of the following Official discharges the duties of the President, if both the President and Vice President are not available?
- (a) Speaker of Lok Sabha (b) Chief Justice of India
(c) Prime Minister (d) None of these
199. If the Office of the President, Vice President and Chief Justice of India falls vacant simultaneously, who succeeds to the Office of the President?
- (a) Next Senior-most Judge of the Supreme Court
(b) Prime Minister
(c) Speaker of Lok Sabha
(d) None of these
200. When the Office of the President falls vacant, the same must be filled within
- (a) six months (b) four months
(c) twelve months (d) eighteen months
201. Who is legally competent to declare war or conclude peace?
- (a) Parliament (b) Air Marshall
(c) Prime Minister and Council of Ministers (d) President
202. After a Bill has been passed by Parliament and sent to the President for his consideration
- (a) He has to sign it
(b) He can refuse to sign it
(c) He can sent it back for reconsideration
(d) He can change certain clauses of the Bill
203. The President can make laws through ordinances
- (a) During the recess of Parliament
(b) On certain subjects when Parliament is in session
(c) Only on subjects contained in the Concurrent List
(d) Under no circumstances
204. Ordinance is promulgated by the
- (a) Rajya Sabha
(b) Prime Minister on advice of the Council of Ministers
(c) Lok Sabha
(d) President

205. What financial power is enjoyed by the President?
- (a) All these powers
 - (b) Certain Money Bills can originate in Parliament only on the recommendation of the President
 - (c) Only on the recommendation of the Governor
 - (d) He can appoint Finance Commission to recommend the distribution of taxes between Union and State Governments
206. Which one of the following officials is not appointed by the President? (OR) In the appointment of which one of the following officials has the President no say?
- (a) Judges of High Court
 - (b) District and Sessions Judges
 - (c) Judges of Supreme Court
 - (d) Attorney General of India
207. The President of India made use of his / her veto power only once in the
- (a) Hindu Code Bill
 - (b) PEPSU Appropriation Bill
 - (c) Indian Post Office (Amendment) Bill
 - (d) Dowry Prohibition Bill
208. An ordinance promulgated by the President usually remains in force for
- (a) six weeks after the commencement of the next session of the Parliament
 - (b) six weeks from the date of issue
 - (c) six months from the date of issue
 - (d) six months after the commencement of the next session of the Parliament
209. The President can promulgate an ordinance only when
- (a) the Parliament is not in session
 - (b) the Bill was sponsored by the President but the Parliament refused to pass the same
 - (c) the Bill has been pending in the Parliament for a year
 - (d) there is disagreement between the two houses of the Parliament
210. Proclamation of President's Rule in a state can be made
- (a) if the President, on receipt of a report from the Governor of a State or otherwise is satisfied that a situation has arisen in which the government of the State cannot be carried on in accordance with the provisions of the Constitution
 - (b) when the Governor and the Chief Minister of a State differ on a vital issue
 - (c) if the President, on receipt of a report from the Governor of a State, is satisfied that a situation is likely to arise in which the government of the State cannot be carried on in accordance with the provisions of the Constitution
 - (d) when a Bill introduced by the State government is defeated in the State Legislature
211. The President can dismiss a member of the Council of Ministers
- (a) with the consent of the Speaker
 - (b) on the recommendation of the Prime Minister
 - (c) at his discretion
 - (d) none of these

212. The Presidential Address is prepared by
- A Cabinet Minister of President's choice
 - The Special Secretary of the President
 - The Ministry of Parliamentary Affairs
 - The Prime Minister and his / her Cabinet
213. Who among the following are appointed by the President of India?
- State Governors
 - Chief Justice and Judges of High Courts
 - Chief Justice and Judges of Supreme Court
 - The Vice President
- Select the correct answer from codes given below:
- (a) 1, 2 and 3 (b) 1 and 2 (c) 2, 3 and 4 (d) None of these
214. The President of India is elected on the basis of
- Proportional representation
 - Proportional representation by single-transferable vote
 - Single member territorial representation
 - None of these
215. Who will appoint the Attorney General of India?
- Prime Minister
 - Chief Justice
 - President
 - Law Minister
216. The Vice President of India is
- Elected by MPs (Lok Sabha and Rajya Sabha) at a joint sitting
 - Elected by Lok Sabha
 - Elected directly by the people
 - Elected by the same Electoral College which elects the President
217. Vice President of India can be removed from Office before expiry of his / her term by
- Two Houses of Parliament
 - President at his / her discretion
 - Rajya Sabha with two-third majority
 - President with the consent of the majority of the State Legislatures
218. The Vice President of India discharges the duties of President in the event
- His death
 - His resignation
 - His absence due to illness
 - All these situations

219. The Vice President of India is the ex-officio Chairman of the
(a) Lok Sabha (b) Rajya Sabha
(c) National Development Council (d) Planning Commission
220. Who decides disputes regarding the election of the Vice President?
(a) President (b) Speaker (c) Supreme Court (d) Parliament
221. The Vice President discharges the duties of the President during his / her illness for a maximum period of
(a) Three months (b) One year
(c) Six months (d) Indefinitely
222. When the Vice President discharges duties of Office of President, he is entitled to
(a) Salary and allowances attached to the President's Office
(b) Salary of Vice President as well as President
(c) Allowance of Rs.2500/- in addition to his own salary as Vice President
(d) None of these
223. The Vice President has
(a) Right to preside over Rajya Sabha (b) Executive power
(c) Legislative power (d) Power to grant pardon
224. No criminal proceedings shall be instituted during his term of Office against the
(a) Governor (b) Vice President (c) Prime Minister (d) Chief Minister
225. Among the four pairs given below, which one consists of correct combination of dignitaries who became Vice Presidents after having held diplomatic positions?
(a) S. Radhakrishnan and G. S. Pathak (b) S. Radhakrishnan and Zakir Hussain
(c) S. Radhakrishnan and V. V. Giri (d) B. D. Jatti and K. R. Narayanan
226. Identify the correct order in which the following acted as Vice President of India:
(a) Zakir Hussain, Pathak, Jatti and Venkataraman
(b) Zakir Hussain, Venkataraman, Jatti and Pathak
(c) Jatti, Zakir Hussain, Pathak and Venkataraman
(d) Pathak, Jatti, Zakir Hussain and Venkataraman
227. Which one of the following Vice President(s) resigned from his Office to contest for the Office of the President?
(a) Giri (b) Sanjeeva Reddy
(c) Fakhruddin Ali Ahmad (d) Both (b) and (c)
228. Who of the following held the Office of the Vice President of India for two full terms?
(a) Giri (b) Radhakrishnan
(c) Zakir Hussain (d) None of these

229. Who of the following became President of India without serving as Vice President?
(a) Giri (b) Venkataraman
(c) Sanjeeva Reddy (d) Zakir Hussain
230. Who is the first Chief Justice to be appointed as acting President of India?
(a) Giri (b) Hidayatullah
(c) Sanjeeva Reddy (d) Jatti
231. Which Article provides that there shall be the Prime Minister of India?
(a) 153 (b) 52 (c) 124 (d) 74
232. The Prime Minister is
(a) Head of State (b) Head of Government
(c) Head of State as well as Government (d) None of these
233. The Office of the Prime Minister
(a) has been created by the Constitution
(b) is based on conventions
(c) has been created by parliamentary statute
(d) is a combination of all of these
234. The Prime Minister is
(a) appointed by the President
(b) elected by the Lok Sabha
(c) elected by the two Houses at a joint sitting
(d) elected by the Lok Sabha and appointed by the President
235. Who is the real Executive under the Indian Constitution?
(a) Speaker of Lok Sabha (b) President
(c) Chief Justice of India (d) Prime Minister
236. Who is considered as the Chief Spokesperson (Spokesman) of the Union Government?
(a) Vice President (b) President
(c) Prime Minister (d) Speaker of Lok Sabha
237. Who is the Chairman of the Planning Commission and National Development Council?
(a) President (b) Prime Minister
(c) Vice President (d) Speaker of Lok Sabha
238. Generally, the Prime Minister is
(a) Not a MP (b) Senior most MP
(c) A close friend of the President
(d) Leader of the majority party in the Lok Sabha

239. The Prime Minister holds Office
- (a) As long as he enjoys confidence of Parliament
 - (b) For a fixed term of five years
 - (c) During the pleasure of President
 - (d) As long as he enjoys confidence of the Council of Ministers
240. Generally the Prime Minister is
- (a) Member of Rajya Sabha
 - (b) Member of Lok Sabha
 - (c) Member of Rajya Sabha and Lok Sabha
 - (d) Not a MP
241. Who announces the Government policies on the floor of the House?
- (a) Finance Minister
 - (b) Speaker of Lok Sabha
 - (c) Prime Minister
 - (d) Parliamentary Affairs Minister
242. Who recommends for the dissolution of Lok Sabha?
- (a) Speaker of Lok Sabha
 - (b) President
 - (c) Parliamentary Affairs Minister
 - (d) Prime Minister
243. Who presides over the meetings of the Council of Ministers?
- (a) Prime Minister
 - (b) President
 - (c) Senior-most Minister
 - (d) Speaker of Lok Sabha
244. Who acts as the channel of communication between the President and Council of Ministers?
- (a) Speaker of Lok Sabha
 - (b) Deputy Prime Minister
 - (c) Prime Minister
 - (d) Senior-most Minister
245. Who is the keystone of the Indian Constitution?
- (a) Chairman of Rajya Sabha
 - (b) President
 - (c) Speaker of Lok Sabha
 - (d) Prime Minister
246. Who describes the Prime Minister of India as '*Primus Inter Pares*' (first among equals)?
- (a) K. M. Munshi
 - (b) Lord Morely
 - (c) Harold Laski
 - (d) Sir William Vernon
247. The members of Council of Ministers are appointed by the
- (a) President on the advice of the Prime Minister
 - (b) President on the recommendation of the Parliament
 - (c) Prime Minister
 - (d) President at his / her discretion
248. A person can be member of the Council of Ministers without being a MP for a maximum period of ____ months.
- (a) twelve
 - (b) three
 - (c) one
 - (d) six

249. Who enjoys distinction of having been the Prime Minister of India for longest duration?
- (a) Jawaharlal Nehru (b) Indira Gandhi
(c) Lal Bahadur Shastri (d) None of these
250. Who became the Prime Minister of India without becoming a Union Cabinet Minister?
- (a) Inder Kumar Gujral (b) Charan Singh
(c) H. D. Deve Gowda (d) Morarji Desai
251. Which State of India has contributed the maximum Prime Ministers?
- (a) Uttar Pradesh (b) Andhra Pradesh
(c) Gujarat (d) Both (a) and (b) equally
252. Maximum number of 'No Confidence Motion' were admitted and discussed during the Prime Ministership of
- (a) Indira Gandhi (b) Jawaharlal Nehru
(c) Morarji Desai (d) P. V. Narasimha Rao
253. The first Prime Minister of India was appointed by the
- (a) Viceroy
(b) Governor General
(c) M. K. Gandhiji
(d) Committee headed by Rajendra Prasad
254. The Office of the Deputy Prime Minister
- (a) is an extra-constitutional growth
(b) was created under the Original Constitution
(c) was created by 44th Amendment in 1979
(d) was created by the 85th Amendment, 2002
255. Indian Constitution is silent on the concept of
- (a) Deputy Speaker of Lok Sabha
(b) Deputy Chairman of Rajya Sabha
(c) Deputy Prime Minister
(d) Deputy Speaker of Legislative Assembly
256. Who enjoys the distinction of being the first Deputy Prime Minister of India?
- (a) L. K. Advani (b) Jagjivan Ram
(c) Morarji Desai (d) Sardar Vallabhbhai Patel
257. Lal Krishnan Advani is the _____ Deputy Prime Minister.
- (a) 5th (b) 7th (c) 3rd (d) 1st

258. Which one of the following Motion can be moved by the Government?
(a) No Confidence Motion (b) Confidence Motion
(c) Censure Motion (d) None of these
259. Which one of the following statement is correct? The Prime Minister of India
(a) has full discretion in the choice of persons who are to serve as Ministers in his Cabinet
(b) is free to choose his Ministers only from among those who are MPs of Rajya Sabha or Lok Sabha
(c) can choose his Cabinet colleagues after counseling by the President of India
(d) has only limited powers in the choice of his cabinet colleagues
260. Which of the following enjoys the distinction of being the first recognized Leader of the Opposition in the Lok Sabha?
(a) Indira Gandhi (b) A. K. Gopalan
(c) Shyam Prasad Mukherjee (d) Y. B. Chavan
261. A political party is accorded status of an Opposition Party in Lok Sabha if it captures at least
(a) 20% of seats (b) 15% of seats
(c) 10% of seats (d) None of these
262. 'Collective Responsibility of the Cabinet' means all Ministers are collectively responsible to (OR) The Union Council of Ministers are responsible to
(a) Rajya Sabha (b) Lok Sabha (c) President (d) Prime Minister
263. Who enforces collective responsibility amongst the Council of Ministers?
(a) Parliament (b) President
(c) Speaker of Lok Sabha (d) Prime Minister
264. The phrase under the Article 74 "There shall be Council of Ministers with the Prime Minister is its Head" is
(a) Directory (b) Mandatory
(c) Discretion of the President (d) Discretion of the Lok Sabha
265. Who presides over the meetings of the Council of Ministers?
(a) Cabinet Secretary (b) President
(c) Different Ministers by rotation (d) Prime Minister
266. The Council of Ministers is collectively responsible to
(a) People (b) President
(c) Prime Minister (d) Parliament

267. Who allocates portfolios among the Council of Ministers?
- (a) President on the recommendation of Prime Minister
 - (b) Prime Minister
 - (c) President
 - (d) Speaker by draw of lots
268. A member of Council of Ministers can be dismissed by the President
- (a) on the recommendation of the Prime Minister
 - (b) on his own
 - (c) on the recommendation of the Lok Sabha
 - (d) on the recommendation of the Parliament
269. The vote of 'No confidence' is passed against a Minister
- (a) The whole Council of Ministers has to resign
 - (b) He has to tender his resignation
 - (c) Minister as well as Prime Minister has to tender their resignation
 - (d) None of these
270. Though the Council of Ministers is collectively responsible to the Parliament, the individual Ministers are responsible to
- (a) Speaker
 - (b) Prime Minister
 - (c) President
 - (d) None of these
271. The President of India is removed from Office by
- (a) Dismissal Motion
 - (b) No Confidence Motion
 - (c) Impeachment
 - (d) None of these
272. The President of India is not bound by the aid and advice of the Council of Ministers in the matter of appointment of
- (a) State Governors
 - (b) Judges of Supreme and High Courts
 - (c) Chairman and Members of UPSC
 - (d) Union Ministers
273. The Parliament of India consists of
- (a) Lok Sabha and Rajya Sabha
 - (b) President, Lok Sabha and Rajya Sabha
 - (c) Lok Sabha, Speaker and Prime Minister
 - (d) None of these
274. Members of the Lok Sabha are
- (a) Directly elected by the people
 - (b) Indirectly elected by the state legislatures
 - (c) Nominated by the President
 - (d) None of these

286. Who can dissolve the Lok Sabha before the expiry of its normal term of five years?
- (a) President
 - (b) President on the recommendation of the Prime Minister
 - (c) Prime Minister
 - (d) President on the recommendation of the Speaker
287. Which of the following statements correctly describes a *'Hung Parliament'*?
- (a) A Parliament in which no party has a clear majority
 - (b) The Prime Minister has resigned but the Parliament is not dissolved
 - (c) The Parliament lacks the quorum to conduct business
 - (d) A lame duck Parliament
288. The President can call a joint session of the two Houses of Parliament.
- (a) If the House does not take any decision for six months on a Bill remitted by the other
 - (b) If a Bill passed by one House is rejected by the other
 - (c) If the Amendment proposed to a Bill by one House is not acceptable to the other
 - (d) All of the above
289. In the Rajya Sabha, the States have been provided
- (a) Representation on the basis of population
 - (b) Equal representation
 - (c) Representation on the basis of population and size
 - (d) Representation on the basis of size
290. The maximum number of representatives are sent to the Rajya Sabha by
- (a) Karnataka
 - (b) West Bengal
 - (c) Andhra Pradesh
 - (d) Uttar Pradesh
291. The members of Rajya Sabha shall be elected by
- (a) MPs of Lok Sabha
 - (b) MLAs
 - (c) Universal Adult Franchise
 - (d) Secret Ballot
292. Who reserves the right to convene joint sessions of the Lok Sabha and Rajya Sabha?
- (a) Chairman of Rajya Sabha
 - (b) Speaker of Lok Sabha
 - (c) President
 - (d) Prime Minister
293. Representatives of the Union Territories in the Rajya Sabha shall be chosen by the
- (a) Chairman of Rajya Sabha
 - (b) President
 - (c) Parliament
 - (d) Lt. Governor of respective territory
294. Which one of the following is not a Central tax?
- (a) Customs Duty
 - (b) Income Tax
 - (c) Excise Duty
 - (d) Sales Tax

295. A Money Bill can originate
- (a) Only in the Lok Sabha
 - (b) Only in the Rajya Sabha
 - (c) In either House of the Parliament
 - (d) Only in the joint sitting of the two Houses of the Parliament
296. Which of the following Bills can be introduced in the Parliament only with the prior approval of the President?
- (a) Money Bills
 - (b) Bill pertaining to impeachment of President
 - (c) Bill pertaining to powers of the Supreme Court
 - (d) All of the above
297. A Bill for which the President is bound to give his assent without sending it back for fresh consideration is
- (a) Ordinary Bill
 - (b) Money Bill
 - (c) Constitution Amendment Bill
 - (d) Bill passed by both the Houses of Parliament
298. Which one of the following Bills must be passed by each House of the Indian Parliament separately, by special majority?
- (a) Ordinary Bill
 - (b) Finance Bill
 - (c) Money Bill
 - (d) Constitution Amendment Bill
299. How many times the President can return a Non-Money Bill, passed by the Parliament for its consideration?
- (a) Never
 - (b) Twice
 - (c) Thrice
 - (d) Once
300. The Rajya Sabha is a Permanent House but
- (a) One-third of its members retire two years
 - (b) One-third of its members retire three years
 - (c) One-half of its members retire two years
 - (d) One-half of its members retire three years
301. A Money Bill passed by the Lok Sabha can be delayed by the Rajya Sabha for a maximum period of
- (a) two months
 - (b) one month
 - (c) 14 days
 - (d) three months
302. Which of the following sets of Bills is presented to the Parliament along with Budget?
- (a) Finance Bill and Appropriation Bill
 - (b) Finance Bill and Contingency Bill
 - (c) Contingency Bill and Appropriation Bill
 - (d) Direct taxes Bill and Indirect taxes Bill

303. Salary of which one of the Officials is not charged on the Consolidated Fund of India?
(a) Comptroller and Auditor General (b) Prime Minister
(c) Chief Justice of India (d) President
304. A Minister must be a Member of
(a) A State (b) Judiciary
(c) Parliament (d) None of these
305. The Prime Minister acts as a channel of communication between
(a) Lok Sabha and Rajya Sabha (b) President and Vice President
(c) Speaker and Deputy Speaker (d) Ministry and President
306. Cabinet Ministers has to tender its resignation if a no-confidence vote is passed against it by
(a) Rajya Sabha (b) Lok Sabha
(c) Two Houses at a joint sitting (d) Supreme Court
307. In which system, the government can be removed by way of 'No Confidence Motion'?
(a) Presidential (b) Federal
(c) Parliamentary (d) Unitary
308. Who will determine the rank of different Ministers in Union and State Council of Ministers?
(a) Prime Minister and Chief Minister
(b) President and Governor
(c) Speaker of Lok Sabha and Speaker of Vidhana Sabha
(d) Respective Parliamentary Affairs Minister
309. Which of the following powers is exclusively vested in the Rajya Sabha?
(a) To recommend the creation of new All India Services
(b) To initiate impeachment proceedings against President
(c) To remove the Vice President
(d) All these powers
310. The Rajya Sabha can be dissolved before expiry of its term by the
(a) President on the recommendation of the Council of Ministers
(b) President
(c) Vice President
(d) None of these
311. Who is the first woman film star nominated or elected to Rajya Sabha?
(a) Hema Malini (b) Vyjayanthimala (c) Nargis Dutt (d) Jayalalitha

312. No taxes can be levied or expenditure incurred without the approval of the
- (a) President
 - (b) Council of Ministers
 - (c) Parliament
 - (d) All of these
313. Who decides disputes regarding the disqualification of MPs?
- (a) The President in consultation with Election Commission
 - (b) Election Commission
 - (c) The President
 - (d) The concerned House
314. Election to the Lok Sabha could not be held in Punjab in December 1984 due to
- (a) Uncertainties created by growing terrorist activities
 - (b) Possibility of attack by the Pakistan
 - (c) Decision of Akali Dal to boycott the elections
 - (d) Outbreak of communal riots in the State
315. Who decides whether a Bill is a Money Bill or not? (OR) If any question arises whether a Bill is Money Bill or not, the decision of the _____ is final.
- (a) Vice President
 - (b) President
 - (c) Prime Minister
 - (d) Speaker
316. All Money Bills can be introduced
- (a) in Rajya Sabha only
 - (b) in Lok Sabha only
 - (c) in either of the House
 - (d) by the President
317. Who is the first Speaker of the Lok Sabha who died in Office?
- (a) K.D. Hegde
 - (b) M.A. Ayyangar
 - (c) G.M.C. Balayogi
 - (d) None of these
318. Who presides over the Lok Sabha if neither the Speaker nor the Deputy Speaker is available?
- (a) A Member appointed by President
 - (b) A Senior-most Member of the Lok Sabha
 - (c) A Member chosen by the Council of Ministers
 - (d) Deputy Chairman of Rajya Sabha
319. If there is a disagreement between the two Houses of the Parliament on any particular Bill
- (a) A Joint sitting of the two Houses of Parliament is convened
 - (b) The President gives casting vote
 - (c) Speaker of Lok Sabha and Chairman of Rajya Sabha submits the Bill to the President
 - (d) The Prime Minister intervenes and gives the final decision

320. In the Indian Constitution, the Budget is referred as
- (a) Annual Expenditure Statement
 - (b) Annual Budget Statement
 - (c) Annual Revenue Statement
 - (d) Annual Financial Statement
321. During the discussions in Parliament, 'Guillotine' applies to
- (a) Finance Bill
 - (b) Vote on Account
 - (c) Demands for Grants
 - (d) Appropriation Bill
322. Which Assembly is presided over by a non-member?
- (a) Lok Sabha
 - (b) Rajya Sabha
 - (c) State Assembly
 - (d) All of these
323. The Chairman of the Rajya Sabha has
- (a) a vote only in case of tie
 - (b) a vote like any other MP of Rajya Sabha
 - (c) no vote because he is the ex-officio Chairman of the House
 - (d) two votes—an ordinary vote and casting vote
324. The Secretary General of the Lok Sabha, who is the Chief of the Lok Sabha Secretariat, is appointed by
- (a) President
 - (b) Speaker
 - (c) Minister of Parliamentary Affairs in consultation with the Speaker
 - (d) A Committee of the House, especially constituted for this purpose
325. The Parliament of India cannot be regarded as a sovereign body because
- (a) of the presence of certain fundamental rights of the citizens
 - (b) its authority is confined to jurisdiction earmarked by the Constitution
 - (c) laws passed by Parliament can be declared unconstitutional by the Supreme Court
 - (d) all of the above
326. The Parliament of India exercises control over administration
- (a) through Parliamentary Committees
 - (b) through Consultative Committees of different Ministries
 - (c) by obtaining periodic reports from Administrators
 - (d) through all of these
327. The speech made by a MP on the floor of House
- (a) cannot be questioned in any Court of Law
 - (b) can be questioned in the High Court
 - (c) can be questioned in the Supreme Court
 - (d) none of these

328. The Parliament works through numerous committees, whose members are
- (a) Either appointed by the Speaker or elected by the House
 - (b) Appointed by the Speaker
 - (c) Appointed by the Council of Ministers
 - (d) Appointed by the Parliamentary Affairs Minister
329. This is not the function of Lok Sabha.
- (a) Legislative
 - (b) Executive
 - (c) Financial
 - (d) Judicial
330. The Speaker of the Lok Sabha makes use of his / her casting vote only
- (a) to save the existing government
 - (b) in case of tie i.e. when votes are equally divided
 - (c) in case of constitutional amendments
 - (d) in case of emergency
331. Lok Sabha Secretariat works under the direct supervision of the
- (a) President
 - (b) Minister of Parliamentary Affairs
 - (c) Speaker
 - (d) None of these
332. Lok Sabha passes vote on account to
- (a) meet the expenditure during the period between the introduction of budget and its passage
 - (b) to meet expenses on secret services
 - (c) to enable the government to meet unexpected expenditure
 - (d) none of these
333. Which State sends the maximum number of representatives to the Rajya Sabha?
- (a) West Bengal
 - (b) Madhya Pradesh
 - (c) Andhra Pradesh
 - (d) Uttar Pradesh
334. A half an hour discussion can be raised in the House after giving notice to the
- (a) Presiding Officer
 - (b) Secretary General of the House
 - (c) Minister of Parliamentary Affairs
 - (d) Concerned Minister
335. A MP enjoys immunity from prosecution for having said anything
- (a) in the Parliament and its Committees
 - (b) during the session of the Parliament anywhere
 - (c) at a Press Conference
 - (d) none of these
336. The final decision whether a MP of Lok Sabha has incurred disqualification under the Defection Law rests with the
- (a) Supreme Court
 - (b) Election Commission
 - (c) Speaker
 - (d) President

337. The Parliament or State Legislature can declare a seat vacant if a member absents himself without permission from the sessions for _____ days.
(a) 30 (b) 90 (c) 120 (d) 60
338. Who presides over the Lok Sabha if neither Speaker nor Deputy Speaker is available?
(a) a member of the panel of Chairmen announced by Speaker
(b) a member nominated by President
(c) a member chosen by Council of Ministers
(d) the senior-most member of the Lok Sabha
339. The function of the Pro-Temp Speaker is to
(a) swear-in members and hold charge till a regular Speaker is elected
(b) conducts proceedings of the House in the absence of the Speaker
(c) officiate as Speaker when Speaker is unlikely to be elected
(d) checks if election certificates of members are in order
340. Which one of the following are the Financial Committees of Parliament of India?
1. Public Accounts Committee
2. Estimate Committee
3. Committee on Public Undertakings
State the correct answer:
(a) 1, 2 and 3 (b) 1 and 2 (c) 1 and 3 (d) 1
341. The Public Accounts Committee submits its report to the
(a) President (b) Comptroller and Auditor General
(c) Speaker (d) Parliamentary Affairs Minister
342. The Comptroller and Auditor General acts as friend, philosopher and guide of
(a) Estimate Committee (b) Public Accounts Committee
(c) Committee on Public Undertakings (d) All of these
343. Which one of the following motions is related with the Union Budget?
(a) Censure Motion (b) Cut Motion
(c) Adjournment Motion (d) None of these
344. Which of the following Committees of Parliament is concerned with the regularity and economy of expenditure?
(a) Committee on Privileges (b) Estimate Committee
(c) Public Accounts Committee (d) All of these
345. Who of the following is considered the Custodian of the Parliament?
(a) Prime Minister (b) Speaker
(c) Leader of Opposition (d) Chief Whip of Ruling party

346. A member, after being elected as Speaker of Lok Sabha, generally
- (a) cuts-off his connection with his party
 - (b) joins ruling party
 - (c) becomes chief spokesman of his party
 - (d) continues to be a member of party and seeks to promote its interest
347. Which one of the following is the correct definition of the term 'Whip'?
- (a) State in which all the members of the political party are required to be present in the Parliament and vote according to the instructions of the party
 - (b) A document published by the government, containing full information on an issue of national importance, presented to the Parliament
 - (c) A situation in which all the members of a political party attend the session of Parliament but need not participate in voting
 - (d) None of these
348. Who among the following may belong to Rajya Sabha but can speak in both the Houses?
- (a) Deputy Chairman of the Rajya Sabha
 - (b) Nominated MPs of Rajya Sabha who are experts of a particular field
 - (c) Ministers who are MPs of Rajya Sabha
 - (d) Leader of the House in Rajya Sabha
349. Which one of the following statements regarding the Office of the Speaker is correct?
- (a) if he intends to resign, the letter of his resignation is to be addressed to the Deputy Speaker
 - (b) he loses his Office if the House is dissolved before the end of the normal tenure
 - (c) he not be a member of the House at the time of election as Speaker, but must become the member of the House within six months of the date of election
 - (d) he holds his Office during the pleasure of the President
350. Which of the following statement is correct?
- (a) the term of the Lok Sabha can be extended by one year at a time
 - (b) the term of the Lok Sabha can be extended by the President for a full term of five years
 - (c) the term of the Lok Sabha can be extended by the President with the consent of the Speaker for an unlimited period
 - (d) the term of the Lok Sabha cannot be extended beyond five years
351. Which one of the following Lok Sabha enjoyed a term of more than five years?
- (a) 8th
 - (b) 6th
 - (c) 4th
 - (d) 5th

352. The differences between the two Houses of Parliament are resolved through (OR) Disagreement between the two Houses of the Indian Parliament is finally resolved by which of the following processes?
- (a) a joint session of the two Houses
 - (b) mediatory efforts of the officers of the two Houses
 - (c) a joint Committee of the two Houses, specially constituted for this purpose
 - (d) the mediation of the Ministry of Parliamentary Affairs
353. The quorum or minimum number of members required to hold the meeting of either House of Parliament is
- (a) one-fifth
 - (b) one-tenth
 - (c) one-fourth
 - (d) one-third
354. Which of the following States sends the largest number of MPs to Lok Sabha after Uttar Pradesh?
- (a) Bihar
 - (b) Madhya Pradesh
 - (c) Maharashtra
 - (d) None of these
355. Which of the following statements is not correct?
- (a) In the event of the dissolution of the Lok Sabha, any Bill pending in the Rajya Sabha, but not passed by the Lok Sabha, lapses
 - (b) In the event of the dissolution of the Lok Sabha, any Bill pending in the Rajya Sabha, but passed by the Lok Sabha, does not lapse
 - (c) In the event of the dissolution of the Lok Sabha, any Bill passed by the Lok Sabha and pending on the Rajya Sabha lapses
 - (d) In the event of the dissolution of the Lok Sabha, any Bill pending in the Lok Sabha lapses
356. Under the new Committee system launched in April 1993, out of the 17 Standing Committees
- (a) 8 are constituted by the Chairman of the Rajya Sabha and 9 by the Speaker of the Lok Sabha
 - (b) 5 are constituted by the Chairman of the Rajya Sabha and 12 by the Speaker of the Lok Sabha
 - (c) 6 are constituted by the Chairman of the Rajya Sabha and 11 by the Speaker of the Lok Sabha
 - (d) All the Committees are constituted jointly by the Chairman of the Rajya Sabha and the Speaker of the Lok Sabha
357. The term 'closure' in Parliamentary terminology
- (a) end of the day's proceedings
 - (b) the end of the session of the Parliament
 - (c) stoppage of debate on a motion
 - (d) none of these

358. 'No Confidence' motion against Council of Ministers can be introduced in the
(a) Rajya Sabha (b) Lok Sabha
(c) Legislative Council (d) None of these
359. The Supreme Court of India consists of a Chief Justice and _____ Judges.
(a) 7 (b) 11 (c) 9 (d) 25
360. Who is the first Chief Justice of India?
(a) B. K. Mukherjee (b) Patanjali Sasthri
(c) Harlal J. Kania (d) S. R. Das
361. The following factor does not help to maintain independence of judiciary
(a) highly attractive retirement benefits
(b) security of tenure
(c) no discussion in legislature on the conduct of judges
(d) salary of judges cannot be reduced
362. The Principles of Natural Justice do not require
(a) follow instructions strictly by superior officer
(b) reasonable opportunity being heard
(c) reasonable notice
(d) decision on merits
363. The Supreme Court of India was set up
(a) By the Constitution
(b) Under the Indian Independence Act, 1947
(c) Through an Act of Parliament in 1950
(d) Under the Government of India Act, 1935
364. Which is the highest Court of appeal in India?
(a) High Court (b) Supreme Court
(c) President's Court (d) Munisiff Court
365. Who interprets the Indian Constitution?
(a) President (b) Parliament
(c) Supreme Court (d) Founding Fathers
366. Which Article provides that laws laid down by Supreme Court is binding on all courts in India?
(a) 142 (b) 145 (c) 131 (d) 141
367. Which Article empowers the Supreme Court to review its own judgment?
(a) 136 (b) 137 (c) 131 (d) 132

368. The Judges of the Supreme Court are appointed by the
(a) Parliament
(b) President on the advice of the Prime Minister
(c) President on the advice of the Parliament
(d) President in consultation with the Chief Justice of India
369. The Judges of the Supreme Court hold Office till they attain the age (in years) of
(a) 62 (b) 65 (c) 70 (d) No limit
370. One of the qualifications to become the Judge of the Supreme Court is
(a) In the opinion of the President, he must be a distinguished Jurist
(b) Practice in District level Court for at least 12 years
(c) Served as Judge of High Court for at least 3 years
(d) Practice in a High Court for at least 9 years
371. The Supreme Court holds its meetings at New Delhi, but it can meet elsewhere
(a) With the approval of the Parliament
(b) With the approval of the President
(c) If a majority of Judges so decide
(d) On the request of the State Legislatures
372. For criminal misconduct, the Judge of the Supreme Court
(a) cannot be prosecuted
(b) can be prosecuted
(c) can be prosecuted with the consent of the President
(d) can be prosecuted with the consent of the Chief Justice of India
373. The Judges of Supreme Court, after retirement, are not permitted to carry on practice before
(a) District and Sessions Courts (b) Supreme Court of India
(c) High Courts (d) Any of these
374. In the event of non-availability of Chief Justice of India, an Acting Chief Justice can be appointed by the
(a) Chief Justice of India
(b) Union Law Minister
(c) President
(d) President in consultation with Chief Justice of India
375. The Judges of the Supreme Court
(a) can be removed by the President on the recommendation of the Parliament
(b) can be removed by the President on the recommendation of the Council of Ministers
(c) can be removed by the President at his / her discretion
(d) cannot be removed from the Office during their tenure

376. The Judges of the Supreme Court can be removed on the ground of proved misbehavior by the _____ if the Parliament passes a resolution with two-third majority present and voting.
- (a) Law Minister (b) Prime Minister
(c) President (d) Chief Justice of India
377. The Supreme Court of India is a court of record which implies that
- (a) Both (b) and (c)
(b) All its decisions have evidentiary value and cannot be questioned in any court
(c) It has power to punish for its contempt
(d) It has to keep a record of all its decisions
378. The Supreme Court tenders advice to the President on a matter of law or fact
- (a) on its own
(b) only if he seeks such advice
(c) only if the matter relates to the Fundamental Rights
(d) only if the issue poses a threat to the unity and integrity of the country
379. The advice of the Supreme Court is
- (a) not binding on the President
(b) binding on the President
(c) binding on President if it is tendered unanimously
(d) binding in certain cases and not binding in others
380. All cases involving an interpretation of the Constitution fall within the
- (a) Original jurisdiction of the Supreme Court
(b) Advisory jurisdiction of the Supreme Court
(c) Appellate jurisdiction of the Supreme Court
(d) None of these
381. Power of the Supreme Court to decide disputes between the Center and States fall under its
- (a) Constitutional Jurisdiction (b) Advisory Jurisdiction
(c) Appellate Jurisdiction (d) Original Jurisdiction
382. Original Jurisdiction of the Supreme Court of India relates to
- (a) Disputes between Union and States
(b) Writs directly filed in Supreme Court
(c) Criminal complaints directly filed in Supreme Court
(d) Civil suits directly filed in Supreme Court

383. The Supreme Court has Original Jurisdiction in
- (a) All Inter-State disputes
 - (b) All disputes relating to international relations
 - (c) Disputes to which India and foreign States are parties
 - (d) In conflict between two foreign States
384. Under the Advisory Jurisdiction, the Supreme Court gives it's opinion to the
- (a) Union Law Minister
 - (b) President
 - (c) Planning Commission
 - (d) Prime Minister
385. Appellate Jurisdiction of the Supreme Court does not include
- (a) appeals in criminal cases
 - (b) special leave to appeal
 - (c) appeals against writs
 - (d) appeals in civil cases
386. Appellate Jurisdiction of the Supreme Court in appeal from High Court in regard to civil matters pertaining only to
- (a) Question of fact
 - (b) Mixed question of law and fact
 - (c) Question of law
 - (d) Substantial question of law
387. Who has the power to enlarge the Jurisdiction of Supreme Court with respect to any matter contained under the Union List?
- (a) Prime Minister
 - (b) President
 - (c) Chief Justice of India
 - (d) Parliament
388. Which of the following statement refers to '*Epistolary Jurisdiction*' of the Supreme Court?
- (a) Taking cognizance of the concerned matter through letter addressed to the Court
 - (b) Original Jurisdiction of the Supreme Court (Article 131)
 - (c) Enforcement of decrees and orders of the Supreme Court (Article 142)
 - (d) Advisory Jurisdiction of the Supreme Court (Article 143)
389. Who has the power to increase the number of Judges of the Supreme Court?
- (a) President
 - (b) Prime Minister
 - (c) Parliament
 - (d) Chief Justice of India
390. Ad hoc Judges can be appointed in the Supreme Court by the
- (a) Chief Justice of India with the prior consent of the President
 - (b) Chief Justice of India after consulting other Judges
 - (c) President on the advice of the Union Law Minister
 - (d) Union Law Minister, but such appointments must be ratified by the Parliament within two months

391. Ad hoc Judges can be appointed to the Supreme Court
- (a) if requisite number of Judges are not available to hold the meeting of the Court
 - (b) if qualified candidates are not available for permanent appointment
 - (c) if some of the sitting Judges proceed on leave
 - (d) for the dismissal of accumulated cases
392. How many Judges of the Supreme Court have been removed from their Office before the expiry of their normal term through Impeachment?
- (a) three
 - (b) two
 - (c) one
 - (d) none of these
393. Which of the following has been wrongly listed as criteria for appointment as a Judge of the Supreme Court?
- (a) must have attained the age of 55 years
 - (b) must in the opinion of the President, be a distinguished Jurist
 - (c) must have been an Advocate of a High Court for not less than 10 years
 - (d) must have been a Judge of a High Court for at least five years
394. Which conditions does not contribute to the independence of the Indian Judiciary?
- (a) Once appointed, the Judges cannot be removed from their Office before the date of retirement
 - (b) No change on salary and service conditions of Judges can be made which operates against their interest after their appointment
 - (c) The salary and allowances are charged to the Consolidated Fund of India and are not subjected to Parliamentary vote
 - (d) Retired Judges are not permitted to carry on practice before any court or tribunal in India
395. Which of the following statements regarding Supreme Court of India is not correct?
- (a) Acts as the protector of the Directive Principles of State Policy
 - (b) Acts as the guardian of the Constitution
 - (c) Acts as the guardian of the liberties of the people of India
 - (d) Has final power to investigate disputes regarding election of the President and Vice President
396. Which of the following cases was connected with the Supreme Court's judgment in 1980 that the Amendments made to Articles 31 (c) and 368 are invalid?
- (a) Golak Nath Case
 - (b) Sajjan Singh Case
 - (c) Minerva Mills Case
 - (d) Keshavananda Bharti Case

397. In which Case did the Supreme Court restore the primacy of Fundamental Rights over Directive Principles of State Policy?
- (a) Maneka Gandhi Case (b) Minerva Mills Case
(c) Keshavananda Bharti Case (d) Berubari Case
398. Any Act violating Article 13(2) of the Constitution shall be declared as Unconstitutional by
- (a) President (b) High Court
(c) Supreme Court (d) Parliament
399. 'Appeal by Special Leave' means
- (a) Supreme Court, granting in its discretion special permission to appeal from any judgment passed by any Court
(b) Supreme Court, granting special permission to appeal, though the time to appeal is barred by limitation
(c) Appeal permitted by the Supreme Court in matters relating to the election of the President
(d) Appeal permitted on payment of fine
400. The framers of Constitution borrowed the idea of Judicial Review from Constitution of
- (a) UK (b) France (c) USA (d) Japan
401. The framers of Constitution adopted the doctrine of Judicial Review
- (a) to ensure proper working of the federal system of the government
(b) to ensure proper working of the Parliamentary system of government
(c) to overcome the limitations of the rigid Constitution
(d) on account of all these factors
402. It became imperative for the framers of the Indian Constitution to adopt the doctrine of Judicial Review because of
- (a) A written Constitution
(b) Its Republican character
(c) Adoption of Parliamentary system of government
(d) Adoption of Federal system of Government
403. Which Amendment curtailed the Supreme Court/High Court's power of Judicial Review?
- (a) 44th (b) 42nd (c) 24th (d) None of these
404. The concept of 'Judicial Activism' gained currency in India in
- (a) 1960s (b) 1970s (c) 1980s (d) 1990s

405. Judicial Activism has led to increase in the powers of
(a) Executive (b) Legislature
(c) Judiciary (d) All these organs
406. The concept of Judicial Review is borrowed from the Constitution of
(a) UK (b) Russia (c) Switzerland (d) USA
407. In India, power of Judicial Review is restricted because
(a) Executive is supreme (b) Constitution is supreme
(c) Legislature is supreme (d) Judges are transferable
408. While imparting justice, the Supreme Court relies on the principle of
(a) Procedure established by law (b) Due Process of law
(c) Rule of law (d) None of these
409. On which List does the Union Government enjoy exclusive powers?
(a) State List (b) Union List
(c) Concurrent List (d) None of these
410. On which List do the States enjoy exclusive jurisdiction?
(a) State List (b) Concurrent List (c) (a) and (b) (d) None of these
411. The subjects of National Importance were enumerated under
(a) Concurrent List (b) State List
(c) Union List (d) No such classification
412. Subjects like Defence and External Affairs are enumerated under
(a) List III (b) List II (c) List I (d) None of these
413. Subjects of Local Importance were enumerated under
(a) List III (b) List II (c) List I (d) None of these
414. The Constitution of India vests the Residuary powers in
(a) State and Union Governments (b) State Government
(c) Union Government (d) None of these
415. Under the Constitution, Residuary Powers vested with the
(a) President (b) State Government
(c) Supreme Court (d) Union Government
416. In case of conflict between the Central and State laws on a subject in Concurrent List
(a) Law of the Center prevails (b) Law of the State prevails
(c) Both laws stand nullified (d) The law which has been passed first prevails

425. A tax shall not be levied or collected except by the authority of the
(a) Prime Minister (b) President
(c) Law (d) Supreme Court
426. The main purpose to impose taxes is to
(a) Run the machinery of State (b) To balance accumulation of wealth
(c) To conduct elections (d) Uplift weaker sections
427. The Provisions regarding division of taxes between Union and State can be suspended
(a) During Financial Emergency
(b) During National Emergency
(c) With the consent of majority of the State Legislature
(d) Cannot be suspended
428. The procedure for amendment of the Indian Constitution is
(a) partly rigid and flexible (b) very rigid
(c) very flexible (d) none of these
429. The Amendment procedure of the Constitution of India has been modeled on the Constitutional pattern of
(a) Canada (b) USA (c) Switzerland (d) South Africa
430. Which Article of the Indian Constitution deals with the amendment procedure?
(a) 367 (b) 358 (c) 368 (d) 370
431. Which was the lengthiest Amendment to the Constitution?
(a) 42nd (b) 24th (c) 44th (d) 46th
432. Which Amendment affirmed the right of the Lok Sabha to amend any part of the Constitution?
(a) 42nd (b) 24th (c) 39th (d) 43rd
433. The 24th Amendment became necessary as a result of the Supreme Court judgment in
(a) Minerva Mills Case (b) Keshavananda Bharti Case
(c) Golak Nath Case (d) None of these
434. After a Bill is passed by the Parliament it is sent to the President for his assent, who can return it for reconsideration to Lok Sabha. But if the Bill is re-passed and sent to the President for his assent, he
(a) has to sign it
(b) can send the Bill to the Parliament for reconsideration for second time
(c) can submit the same to the people for referendum
(d) can get it nullified through the Supreme Court

435. If Finance Minister fails to get Annual Budget passed in the Lok Sabha, the Prime Minister can
- (a) submit resignation of his Cabinet
 - (b) refer to it to the Joint Session of the Houses
 - (c) compel the Finance Minister to resign
 - (d) form another Cabinet with different members
436. The Comptroller and Auditor General acts as the
- (a) Guardian of people's liberties
 - (b) Guardian of public finances
 - (c) Chief legal advisor of the government
 - (d) All of these
437. The Comptroller and Auditor General is appointed by
- (a) Parliament
 - (b) Prime Minister
 - (c) President
 - (d) President on the advice of Parliament
438. The Comptroller and Auditor General holds Office
- (a) for a term of five years
 - (b) for a term of six years
 - (c) during the pleasure of President
 - (d) during the pleasure of the Parliament
439. The Comptroller and Auditor General can be removed from his Office before the expiry of his term by the
- (a) President at his discretion
 - (b) President on the advice of the Council of Ministers
 - (c) President on the recommendation of the Parliament
 - (d) Prime Minister
440. The salary and allowances of the Comptroller and Auditor General are paid out of the
- (a) General Budget
 - (b) Contingency Fund of India
 - (c) Contingency Fund of concerned State
 - (d) Consolidated Fund of India
441. The salary and allowances of the Comptroller and Auditor General
- (a) are determined by the Parliament
 - (b) are determined by Union Council of Ministers
 - (c) are determined by the President in consultation with the Chief Justice of India
442. The Constitution secures the independence of the Comptroller and Auditor General by
- (a) making the removal of CAG very difficult
 - (b) providing that his salary and service conditions shall not be changed to his disadvantage
 - (c) by giving the CAG complete control over his administrative staff
 - (d) All of the above

443. The Comptroller and Auditor General performs
- (a) only accounting functions
 - (b) only audit functions
 - (c) both accounting and audit functions
 - (d) accounting, audit and judicial functions
444. The Comptroller and Auditor General submits his annual report regarding the Center to the
- (a) Chief Justice of India
 - (b) Parliament
 - (c) Chairman of Planning Commission
 - (d) President
445. The Office of the Comptroller and Auditor General of India was created
- (a) under the Constitution
 - (b) through a resolution of Union Cabinet
 - (c) through an enactment of the Parliament
 - (d) none of these
446. The Comptroller and Auditor General is intimately connected with the following Committee of the Parliament?
- (a) Committee of Public Undertakings
 - (b) Estimates Committee
 - (c) Public Accounts Committee
 - (d) All of these
447. The Comptroller and Auditor General presents a detailed review of Union Accounts to the Union Finance Minister every
- (a) month
 - (b) three months
 - (c) six months
 - (d) twelve months
448. The Comptroller and Auditor General does not audit the accounts of
- (a) Government Companies
 - (b) Municipal Bodies
 - (c) State Government
 - (d) Union Government
449. The Comptroller and Auditor General has to submit the Audit Report of the Central and State Governments before the
- (a) President and Governor
 - (b) Prime Minister and Chief Minister
 - (c) Union and State Finance Ministers
 - (d) Parliament and Vidhana Sabha
450. Which one of the following is the most important item of expenditure of the Government of India on the revenue account?
- (a) Defence
 - (b) Pensions
 - (c) Subsidies
 - (d) Interest payments

451. The Attorney General of India is the
- (a) Highest Legal Officer of Union Government
 - (b) Highest Financial Officer of Union Government
 - (c) Highest Financial and Legal Officer of Union Government
 - (d) None of these
452. The Attorney General of India is appointed by the
- (a) Parliament
 - (b) Chief Justice of India
 - (c) President on advice of Chief Justice of India
 - (d) President
453. The Attorney General of India holds Office
- (a) for a fixed term of six years
 - (b) for life
 - (c) during the pleasure of the President
 - (d) as long as he enjoys the confidence of the Parliament
454. Which of the following duties / functions has been assigned to the Attorney General of India?
- (a) to render legal advice to Central Government
 - (b) to control state income and expenditure
 - (c) to arbitrate in disputes between Center and States
 - (d) both (b) and (c)
455. Who of the following acts as the Chief Legal Advisor to the Government of India?
- (a) Union Law Minister
 - (b) Attorney General
 - (c) Chief Justice of India
 - (d) None of these
456. If the Attorney General of India wishes to tender his resignation before the expiry of his term, he has to address his resignation to the
- (a) Chief Justice of India
 - (b) Speaker of Lok Sabha
 - (c) Union Law Minister
 - (d) President
457. Who has the right to participate in proceedings of the Parliament even though he is not a MP?
- (a) Chief Election Commissioner
 - (b) Comptroller and Auditor General
 - (c) Attorney General of India
 - (d) Chairman of UPSC

458. The three types of Civil Services envisaged under the Constitution are
- (a) All India Services, Central Services and State Services
 - (b) Army, Navy and Air force
 - (c) Civil, Military and Paramilitary
 - (d) None of these
459. Which one of the following is presided over by a Non-member?
- (a) Lok Sabha
 - (b) Rajya Sabha
 - (c) Vidhana Sabha
 - (d) Vidhana Parishad
460. If the Rajya Sabha rejects a Money Bill, but follows
- (a) The Lok Sabha can send the same for Presidential assent
 - (b) The President calls for a joint session for passing the Bill
 - (c) The Lok Sabha may not consider it at all
 - (d) The Lok Sabha may or may not accept its recommendations
461. Which Article provides for the composition of Finance Commission?
- (a) 250
 - (b) 290
 - (c) 280
 - (d) 260
462. The Finance Commission has a term of _____ years.
- (a) 1
 - (b) 6
 - (c) 8
 - (d) 5
463. The Finance Commission consists of _____ number of Members.
- (a) 6
 - (b) 5
 - (c) 8
 - (d) 10
464. Who appoints the Finance Commission?
- (a) Prime Minister
 - (b) Parliament
 - (c) President
 - (d) Finance Minister
465. The Report of Finance Commission shall be laid before the
- (a) Lok Sabha
 - (b) Prime Minister
 - (c) Finance Minister
 - (d) President
466. Grants-in-aid of revenue to the state is recommended by
- (a) Planning Commission
 - (b) Inter-State Council
 - (c) Finance Commission
 - (d) National Development Council
467. Who finally approves the draft of Five Year Plans?
- (a) National Development Council
 - (b) Finance Commission
 - (c) Planning Commission
 - (d) Parliament

468. For those Union Territories without Legislative Councils of their own, laws are passed by the
- (a) President (b) Parliament
(c) Union Ministry (d) Administrator
469. The day-to-day administration of the Union Territory is looked after by the
- (a) Lieutenant Governor (b) Union Home Minister
(c) Prime Minister (d) President
470. For Union Territories without legislative assemblies on their own, laws are passed by the
- (a) President (b) Union Home Minister
(c) Parliament (d) None of these
471. Which one of the following is the 28th State of the Indian Union?
- (a) Chhattisgarh (b) Jharkhand
(c) Uttaranchal (d) None of these
472. Which one of the following was a Union Territory before it was accorded the status of a full-fledged State?
- (a) Manipur (b) Himachal Pradesh
(c) Tripura (d) All of these
473. Which one of the following has been wrongly listed as a Union territory?
- (a) Tripura (b) Chandigarh
(c) Pondicherry (d) None of these
474. Who is the competent to prescribe conditions for acquisition of citizenship?
- (a) President (b) Election Commission
(c) Parliament (d) None of these
475. Which of the following is the Indian Constitution to Parliamentary procedures?
- (a) Adjournment Motion (b) Cut Motion
(c) Zero Hour (d) Guillotine
476. What is the minimum duration in (years) of stay essential before a person can apply for Indian citizenship?
- (a) 6 (b) 5 (c) 8 (d) 10
477. Who has the power to increase the salary and allowances of the President of India?
- (a) Speaker of Lok Sabha (b) Prime Minister
(c) Union Council of Ministers (d) Parliament

478. One-third of the members of the Rajya Sabha retire every _____ year(s).
- (a) one (b) two
(c) three (d) four
479. 'Special majority' means more than
- (a) 60% majority (b) 50% majority
(c) two-third % majority (d) 75% majority
480. 'Special leave' means
- (a) leave with salary
(b) leave granted only to Supreme Court Judges before retirement
(c) leave without salary
(d) permission granted by the Supreme Court to appeal
481. 'Respite' means
- (a) death due to drowning (b) awarding lesser punishment
(c) death due to strangulation (d) painless death
482. 'Violate' means
- (a) over rule (b) use force
(c) commit breach of law (d) use violence
483. 'Interpret' means
- (a) ascertaining the meaning of a word
(b) amending a law to make it more effective
(c) passing a law by absolute majority
(d) interrupting in the exercise of legal right
484. Which one of the following Commission has not been provided in the Constitution?
- (a) Finance (b) Public Service
(c) Election (d) Planning
485. The Planning Commission is a
- (a) Statutory Body (b) Autonomous Body
(c) Executive Body (d) Constitutional Body
486. Which of the following Offices has not been provided in the Constitution?
- (a) Deputy Prime Minister
(b) Deputy Speaker of Legislative Assembly
(c) Deputy Chairman of Rajya Sabha
(d) Deputy Speaker of Lok Sabha

487. Which Article of the Constitution provides protection to the Civil Servants?
(a) 312 (b) 315 (c) 311 (d) 288
488. Who has the power to create All India Services?
(a) Lok Sabha (b) Prime Minister (c) President (d) Parliament
489. Which Article of the Constitution authorizes the Parliament to create All India Services?
(a) 320 (b) 312 (c) 315 (d) 321
490. Parliament under the Article 312 gets the power to create All India Services when
(a) Rajya Sabha passes a Resolution with two-thirds majority
(b) Lok Sabha passes a Resolution with two-thirds majority
(c) Majority of the State legislature requests the Parliament to do so
(d) Parliament can create such services *suo motto*
491. Which Article of the Constitution provides for the composition of Public Service Commission?
(a) 215 (b) 315 (c) 320 (d) 220
492. The Members of Indian Administrative Services will be under the control of
(a) Ministry of Human Resources Development
(b) Home Minister
(c) Prime Minister
(d) Rajya Sabha
493. The Members of Indian Police Services will be under the control of
(a) Prime Minister (b) President
(c) Home Minister (d) Rajya Sabha
494. The Members of Indian Forest Services will be under the control of
(a) Ministry of Foreign Affairs
(b) External Affairs Minister
(c) Prime Minister
(d) Ministry of Environment and Forest
495. Immediate control of the members of All India Services lies with the
(a) Central Government (b) State Government
(c) Local Self Government (d) All of these
496. The disciplinary actions against the members of All India Services lies with
(a) Local Self Government (b) State Government
(c) Central Government (d) All of these

497. Members of All India Services hold office during the pleasure of the
- (a) Chairman of Rajya Sabha (b) Prime Minister
(c) Speaker of Lok Sabha (d) President
498. Which of the following All India Services does not contain in the Constitution?
- (a) All India Public Services (b) All India Judicial Services
(c) Indian Forest Services (d) Indian Administrative Services
499. Which of the body which recruits persons to All India Services?
- (a) Union Public Service Commission (b) State Public Service Commission
(c) Railway Recruitment Board (d) Staff Selection Commission
500. Chairman and Members of UPSC / KPSC shall hold Office for a term of __ years and tenure of __ years.
- (a) 5/6 and 65/62 (b) 5/5 and 60/62
(c) 6/5 and 66/65 (d) 6/6 and 65/62
501. In the removal of which of the following officials does the Parliament play no role?
- (a) Chairman of the Union Public Service Commission
(b) Judges of High Courts
(c) Judges of Supreme Court
(d) Comptroller and Auditor General of India
502. Chairman and Members of UPSC / KPSC may resign their Office by submitting their resignation to the (OR) Chairman and Members of UPSC / KPSC can be removed on ground of proved misbehavior by the
- (a) Supreme / High Court
(b) Prime Minister / Chief Minister
(c) Speaker of Lok Sabha / Vidhana Sabha
(d) President / Governor
503. Salaries and Pension of the Chairman and Members of UPSC shall be charged from the
- (a) Public Accounts (b) Contingency Fund
(c) Consolidated Fund (d) None of these
504. UPSC / KPSC has to submit an Annual Report to the
- (a) Prime Minister / Chief Minister
(b) Parliament / Governor
(c) Lok Sabha only / Legislative Assembly only
(d) None of these

505. Who enjoys the Rank of a Cabinet Minister of Indian Union?
(a) Deputy Chairman of Planning Commission
(b) Principal Secretary to Prime Minister
(c) Secretary to Union Government
(d) Deputy Chairman of Rajya Sabha
506. Planning Commission was composed in the year
(a) 1951 (b) 1952 (c) 1949 (d) 1950
507. Who heads the National Integration Council?
(a) President (b) Prime Minister
(c) Speaker of Lok Sabha (d) Vice President
508. Recognition of States was done in the year 1956 on the ground of ____ basis.
(a) Caste (b) Population (c) Linguistic (d) Religion
509. Which is the first State in India formed on Linguistic grounds?
(a) Tamil Nadu (b) Jammu & Kashmir
(c) Karnataka (d) Andhra Pradesh
510. Which Part of the Constitution incorporates Special provisions to the State of Jammu & Kashmir?
(a) XX (b) XXI (c) XV (d) XI
511. The Provisions with regard to the Union Territories are incorporated under the Constitution by way of ____ Constitution Amendment Act.
(a) 24th (b) 1st (c) 7th (d) 42nd
512. Every Union Territory shall be administered by the
(a) President (b) Parliament
(c) External Affairs Minister (d) Governor of neighboring States
513. The Union Territory does not have
(a) High Court (b) Capital
(c) Recognized Official language (d) Administrator
514. Who has power to create Legislature or Council of Ministers or both for certain Union Territory (Pondicherry)?
(a) Rajya Sabha (b) Prime Minister
(c) President (d) Parliament
515. Under Indian Constitution, the Union Territory of Delhi is referred as
(a) National Capital Territory (b) Capital of India
(c) New Delhi (d) None of these

516. When did Delhi became Union Territory?
(a) 1952 (b) 1956 (c) 1950 (d) 1947
517. The Administrator appointed under the Article 239 to the Union Territory of Delhi is called
(a) Governor (b) Lieutenant Governor
(c) Governor General (d) Chief Minister of Delhi
518. Which of the following Union Territory shall have Legislative Assembly?
(a) Chandigarh (b) Pondicherry
(c) Delhi (d) Daman and Diu
519. Legislative Assembly of Delhi shall have power to make laws for the whole of National Capital Territory with respect to the matter contained in
(a) Both List II and III (b) List II
(c) List III (d) List I
520. The Chief Minister of Delhi shall be appointed by the
(a) Prime Minister (b) Parliament
(c) President (d) Lieutenant Governor
521. The Council of Ministers of Delhi shall hold Office during the pleasure of
(a) President (b) Prime Minister
(c) Parliament (d) Lieutenant Governor
522. The Council of Ministers of Delhi shall be collectively responsible to
(a) Legislative Assembly of Delhi (b) Parliament
(c) Lok Sabha (d) President
523. The Emergency provision for National Capital Territory of Delhi is enshrined under the Article
(a) 352 (b) 356 (c) 360 (d) 239A
524. Who has the power to constitute a High Court to the Union Territory?
(a) Law Minister (b) Supreme Court (c) President (d) Parliament
525. Before 1956, the present day Union Territory were characterized as
(a) Part D States (b) Part C States
(c) Part A States (d) Part B States
526. Parliament has delegated some legislative powers in relation to the Union Territory to
(a) Union Government (b) Neighboring State Government
(c) Lieutenant Governor (d) None of these

527. The aid and advice rendered by the Council of Ministers to the Administrator of the Union Territory is
- (a) Mandatory (b) Directory
(c) Discretionary (d) None of these
528. Who is authorized to appoint the Chief Minister of Delhi?
- (a) Prime Minister (b) President
(c) Chief Justice of India (d) Lieutenant Governor
529. In 1954, Government of India introduced decorations (in form of the medals) Bharat Ratna, Padma Vibhushan, Padma Bhushan, and Padma Sri Awards under the Article
- (a) 25 (b) 14 (c) 18 (d) None of these
530. In 1996, the Supreme Court upheld the validity of the Civilians Awards, but recommended that the total awards to be given each year in all categories should be restricted to
- (a) 40 (b) 50 (c) 60 (d) 75
531. Indian Constitution was inaugurated on
- (a) 26.01.1949 (b) 26.01.1947 (c) 26.01.1950 (d) 27.01.1949
532. The Chairman of Rajya Sabha is
- (a) Elected by the two Houses of Parliament
(b) Nominated by the President
(c) Elected by the Parliament and the Legislatures of the States jointly
(d) Elected by the members of the Rajya Sabha
533. Which one of the Constitutional posts is enjoyed for a fixed term?
- (a) Governor (b) Chief Justice
(c) Prime Minister (d) President
534. Which of the following is not a prescribed qualification to become President of India?
- (a) Should be a Graduate (b) Should be a citizen of India
(c) Should not hold Office of Profit (d) Should not be less than 65 years
535. Which is the highest Court of Justice of India?
- (a) High Court (b) Supreme Court
(c) Privacy Council (d) President's Chamber
536. The President of India is similar to
- (a) President of France (b) President of US
(c) Queen of England (d) None of these

537. President declares emergencies
- (a) On the advice of the Council of Ministers
 - (b) On the advice of the Prime Minister
 - (c) On his own
 - (d) On the recommendation of the Election Commission
538. The President can return a Bill for reconsideration by the Parliament for _____ time(s).
- (a) One
 - (b) Two
 - (c) Three
 - (d) Any number of times
539. Who was the President of India at Proclamation of Emergency in the year 1976?
- (a) V. V. Giri
 - (b) Shankar Dayal Sharma
 - (c) Zail Singh
 - (d) Fakhruddin Ali Ahmad
540. Who was the Defence Minister of India during the Indo-China War of 1962?
- (a) R. N. Thapar
 - (b) Govind Vallabh Pant
 - (c) V. K. Krishna Menon
 - (d) Jagjivan Ram
541. Which portfolio was held by Dr. Rajendra Prasad in Interim Government formed in the year 1946?
- (a) Health
 - (b) External Affairs
 - (c) Defence
 - (d) Food and Agriculture
542. Which system of Government, in which the 'Real Executive' is absolutely dependent upon the wishes of the Legislatures?
- (a) Presidential
 - (b) Parliamentary
 - (c) Federal
 - (d) Unitary
543. In India, a tax on agricultural incomes can be levied by
- (a) Only the Central Government
 - (b) Only the State Governments
 - (c) Both the Central and State Governments
 - (d) Neither the Central nor the State Governments
544. Which one of the following is not among the sources of revenue for the Union?
- (a) Land revenue
 - (b) Custom Duties including Export Duties
 - (c) Duties of Excise on tobacco and other goods manufactured in India, except alcoholic liquors, opium, Indian hemp and other narcotic drugs
 - (d) Taxes on income other than agricultural income

545. Under which Articles, the Supreme Court has been given the powers to review any judgment pronounced or order made it previously?
(a) 139 (b) 138 (c) 137 (d) None of these
546. The office of the Lokpal and Lokayuktha in India is based on one of the following?
(a) Ombudsman in Scandinavia (b) Procurator General of Russia
(c) Council of State in France (d) Parliamentary Commissioner of UK
547. The constituents of Indian Parliament, as mentioned in the Constitution are the
(a) Lok Sabha and Rajya Sabha
(b) President, Vice President and Two Houses of Parliament
(c) President, Lok Sabha and Rajya Sabha
(d) President, Lok Sabha and Council of Ministers
548. The name of Laccadive, Minicoy and Amindivi Islands was changed to Lakshadweep by an Act of Parliament in
(a) 1970 (b) 1971 (c) 1972 (d) 1973
549. The full status of 'State' was conferred upon the Union Territories of Manipur and Tripura in
(a) 1973 (b) 1972 (c) 1971 (d) 1970
550. Which one of the following States / Union Territories of the country has more than 50% tribal population of the total population?
(a) Dadra and Nagar Haveli (b) Andaman and Nicobar Islands
(c) Himachal Pradesh (d) Pondicherry
551. The Residuary Powers (i.e. those relating to subjects not mentioned in any of the three lists included in the VII Schedule) are, according to our Constitution, vested in the
(a) State Legislatures (b) President of India
(c) Union Parliament (d) Supreme Court
552. The Secretary-General of Lok Sabha, who is the Chief of its Secretariat, is
(a) Appointed by the President
(b) Appointed by the Speaker
(c) Elected by the Lok Sabha
(d) Elected by the both the Houses of Parliament
553. Which Commission was set up in pursuance of a definite provision under the Article of the Indian Constitution?
(a) Central Vigilance (b) National Human Rights
(c) University Grants (d) Election

554. Which one of the following is not a type of relationship specified by the Constitution of India between Center and States?
- (a) Financial (b) Judicial
(c) Legislative (d) Administrative
555. Which one of the following is not a constitutionally mandated body?
- (a) Center-State relations (b) Election
(c) Planning (d) National SC / ST
556. Who was the first Chairman of the Planning Commission?
- (a) Dr. C. D. Deshmukh (b) Gulzari Lal Nanda
(c) Jawaharlal Nehru (d) Dr. K. C. Neogy
557. Who among the following enjoy the rank of a Cabinet Minister?
- (i) Deputy Chairman of Planning Commission
(ii) Leader of Opposition in Lok Sabha
(iii) Speaker of Lok Sabha
(iv) Chairman of the Finance Commission
- Choose the correct answer:
- (a) i, ii and iii (b) i, iii and iv (c) ii, iii and iv (d) i, ii, iii and iv
558. Which is the constitutional authority that has been made responsible for constituting the Finance Commission periodically?
- (a) Union Finance Minister (b) Speaker of Lok Sabha
(c) Chairman of Rajya Sabha (d) President of India
559. The Finance Commission is normally expected to be constituted after every ____ years.
- (a) There is no fixed period (b) Three
(c) Four (d) Five
560. Which is true for the Finance Commission?
- (a) It is constituted under the Article 280 of the Constitution
(b) It is statutory body
(c) Dr. C. Rangarajan is the Chairman of 12th Finance Commission
(d) All of the above
561. Who among the following was the Chairman of the Committee on Pricing and Taxation of Petroleum products?
- (a) Abid Hussain (b) Y. V. Reddy
(c) Dr. C. Rangarajan (d) Raja J. Chelliah

562. Who among the following was the Head of the Investment Commission which submitted its Report to the Government of India recently (2007)?
- (a) Rahul Bajaj (b) Rakesh Mohan
(c) Kumar Mangalam Birla (d) Ratan Tata
563. Who was the Chief Justice of India when Public Interest Litigation was introduced to the Indian Judicial system?
- (a) A. S. Anand (b) P. N. Bhagwati
(c) A. M. Ahmadi (d) M. Hidayatullah
564. The concept of Public Interest Litigation has strengthened
- (a) Rule of Law
(b) Concept of Judicial Review
(c) Writ jurisdiction of Supreme Court and High Court
(d) Judiciary against the Executive and Legislature
565. Public Interest Litigation means
- (a) Petitions by any conscious person or organization on behalf of an aggrieved person or group for reasons of interest of the public
(b) Litigation by public
(c) Litigation started by political parties
(d) Litigation conducted in public and in camera
566. In India, National Income is estimated by
- (a) Indian Statistical Institute
(b) Planning Commission
(c) Central Statistical Organization
(d) National Sample Survey Organization
567. As per Article 100 (3), the quorum to constitute a meeting of either House of Parliament is
- (a) One-fifth of the total number of members of that House
(b) One-tenth of the total number of members of that House
(c) One-fourth of the total number of members of that House
(d) One-third of the total number of members of that House
568. The 'Rule of Law' means
- (a) That no person can be punished unless his guilt is established by a fair trial
(b) Existence of written rules to regulate the conduct of government officials
(c) That the power to make laws vests in the elected representatives of the people
(d) Independence of the Judiciary

569. The term 'Law' used in the expression 'Rule of Law' refers to
(a) Common Law (b) Natural law
(c) Convention of the Constitution (d) Positive Law
570. The draft of the Indian Penal Code was prepared by _____ Indian Law Commission.
(a) Fourth (b) Third
(c) Second (d) First
571. In a particular case, the advice tendered by the Council of Ministers is sent back by the President for reconsideration. If the Council of Ministers adhere to their earlier advice, the President
(a) Has no option but to accept such advice
(b) Can ask for reconsideration of the advice once more
(c) Can ask for reconsideration of the advice any number of times
(d) Must seek the advice of the Supreme Court before rejecting the advice
572. In which of the following situations can the President promulgate the Ordinance?
(a) Parliament is not in session
(b) A Bill has been pending in Parliament for a long period
(c) Both Houses have refused to pass a Bill sponsored by the Government with the previous sanction of the President
(d) There is disagreement between the two Houses of Parliament over the Bill
573. The gap (period) between two sessions of the Lok Sabha is termed as
(a) Suspension (b) Adjournment
(c) Prorogation (d) Dissolution
574. Both the Union and the States derive their authority from the Constitution of India which divides, as between them, all of the following powers, except
(a) Executive (b) Judicial
(c) Legislative (d) Financial
575. Which of the following Schedules in the Constitution divides the legislative powers between the Union and the States?
(a) VI (b) VIII (c) V (d) VII
576. The powers to legislate with respect to any matter not enumerated in any of the three Lists are mentioned as Residuary Powers. Which of the following is empowered to determine finally as to whether or not a particular matters falls in this category?
(a) Judiciary only (b) Lok Sabha only
(c) Rajya Sabha only (d) Parliament

577. The vesting of Residuary Powers under our Constitution in the Union, instead of the State Legislatures, follows the precedent of the _____ Constitution.
- (a) Irish (b) Canadian
(c) Australian (d) USA
578. When two Houses of Parliament differ regarding a Bill, then the deadlock is resolved by
- (a) The Speaker of Lok Sabha
(b) The President of India
(c) A Joint Sitting of the two Houses
(d) A Special Committee formed for this purpose
579. 'Closure' in Parliamentary terminology means
- (a) A rule of legislative procedure under which further debate on a motion can be stopped
(b) Refusal of the Government to show important documents to the members of Opposition
(c) Suspension of debate at the end of a day's sitting of legislature
(d) The end of a session of Parliament
580. Which one of the following statements is not correct?
- (a) The proposal for amending the Constitution can only be initiated in Lok Sabha
(b) There is no provision of referendum in the Indian Constitution
(c) The State Legislatures do not possess the right to initiate the amendment of Constitution
(d) The Indian Constitution is partly flexible and partly rigid
581. In which of the following cases is a joint session of the two Houses of Parliament not necessary?
- (a) A Bill to amend the Constitution
(b) A Bill has been pending with one House for more than six months after it was passed by the other
(c) Both Houses disagree on the amendments to be made in a Bill
(d) A Bill is passed by one House and is rejected by the other House
582. Which of the following is not a tool of legislative control over administration in India?
- (a) Resolution (b) Dissolution of House
(c) Questions (d) No Confidence Motion
583. The Secretary General of the Lok Sabha is the Chief of its Secretariat and is
- (a) Appointed by the President (b) Appointed by the Speaker
(c) Elected by the Lok Sabha (d) Elected by both House of Parliament

584. Main Standing Committee of Lok Sabha is / are
- (a) Public Accounts (b) Public Understanding
(c) Estimate (d) All of these
585. To whom does the Public Accounts Committee submits its report?
- (a) Chairman of Rajya Sabha (b) President of India
(c) Speaker of Lok Sabha (d) Union Finance Minister
586. The work of General Purpose Committee is to advice the
- (a) Prime Minister (b) President (c) Vice President (d) Speaker
587. Which one of the following is not a Parliamentary Committee?
- (a) Demands for Grants Committee (b) Committee on Public Accounts
(c) Committee on Public Undertakings (d) Committee on Estimates
588. Which of the following Committees are sometimes described as 'Twin Sisters'?
- (a) Public Account and Estimate Committees
(b) Standing and Ad hoc Committees
(c) Estimate and Committee of Public Undertakings
(d) Business Advisory Committee and Committee on Private Members Bill
589. To which of the following Bills the President must accord his sanction without sending it back for fresh consideration?
- (a) Ordinary Bill
(b) Money Bill
(c) Bills passed by both Houses of Parliament
(d) Bill seeking Amendment of the Constitution
590. All of the following statements in regard to Money Bills are incorrect, except
- (a) A Money Bill can only be introduced in Lok Sabha and Rajya Sabha has no power to make a change in it against the will of Lok Sabha
(b) A Money Bill may be introduced in Rajya Sabha but it must be approved by both the Houses
(c) A Money Bill can only be introduced in Lok Sabha but it must also be approved by the Rajya Sabha
(d) A Money Bill can be introduced in either House; the decision of Lok Sabha thereon shall prevail
591. 14 days notice is necessary for moving a
- (a) Money Bill
(b) Constitutional Amendment Bill
(c) Financial Bill
(d) Resolution of impeaching the President

592. In the Union Budget in India, which Expenditure is the largest in amount?
- (a) Revenue (b) Plan
(c) Non-Plan (d) Capital
593. The 11th Five-Year Plan has been named as
- (a) Towards Infrastructural and Agricultural Growth
(b) Towards Rapid educational and Economical Growth
(c) Towards Fast and More Inclusive Growth
(d) None of these
594. On which of the following subjects does the power to legislate vest both in the Union as well as the State legislatures?
- (a) Acquisition and requisitioning of property
(b) Sanctioning of cinematograph films for exhibition
(c) Duties of excise on alcoholic liquors for human consumption
(d) Taxes on agricultural income
595. The President is empowered to establish an Inter-State Council if at any time it appears to him that the public interests would be served thereby. Which of the following has not so been set up?
- (a) Transport Development Council
(b) Central Council of Health
(c) Inter-State Commerce Council
(d) Central Council of Local Self Government
596. The Council of Ministers in India remains in their Office till it enjoys the support of
- (a) Majority of the Members of Rajya Sabha
(b) Majority of the Members of Lok Sabha
(c) Minority of the Members of Lok Sabha
(d) Minority of the Members of Rajya Sabha
597. The Council of Ministers is
- (a) Same with Cabinet (b) Smaller than Cabinet
(c) Larger than Cabinet (d) None of these
598. The resolution for removing the Vice President of India can be moved in the
- (a) Joint sitting of Parliament (b) Lok Sabha alone
(c) Either House of Parliament (d) Rajya Sabha alone
599. Anti-Defection Act relating to disqualification of Members of Parliament and State Legislatures does not covers
- (a) Nominated Members (b) Chairman of Rajya Sabha
(c) Independent Members (d) Minister

600. Which statement is not correct?
- (a) The Supreme Court of India has to look into all disputes with regard to the election of Vice President of India
 - (b) Vice President of India continues to be in office even after the expiry of his term till his successor takes over
 - (c) Vice President of India can be removed by a simple majority of votes passed in the Rajya Sabha only
 - (d) Vice President of India holds office for a period of five years
601. Which one of the following Amendments to the Constitution clearly has laid down that the President of India is bound to accept the advice given by the Council of Ministers?
- (a) 25th
 - (b) 41st
 - (c) 24th
 - (d) 42nd
602. Which one of the following statements is not correct?
- (a) North-East India accounts for a little over half of the country's tribal population
 - (b) There is no definition of the Scheduled Tribe in the Constitution of India
 - (c) The people known as Todas live in the Nilgiri area
 - (d) Lotha is a language spoken in Nagaland
603. Under which Ministry of the Government of India does the Food and Nutrition Board work?
- (a) Ministry of Agriculture
 - (b) Ministry of Human Resource Development
 - (c) Ministry of Rural Development
 - (d) Ministry of Health and Family Welfare
604. The Archaeological Survey of India is an attached office of the Department / Ministry of
- (a) Tourism
 - (b) Culture
 - (c) Science and Technology
 - (d) Human Resource Development
605. Survey of India is under the Ministry of
- (a) Home Affairs
 - (b) Environment and Forests
 - (c) Defence
 - (d) Science and Technology
606. Which one of the following is not a Department in Ministry of Human Resources Development?
- (a) Technical Education and Literacy
 - (b) Woman and Child Development
 - (c) Secondary Education and Higher Education
 - (d) Elementary Education and Literacy

607. Which one of the following Articles of the Constitution of India says that the executive power of every State shall be so exercised as not to impeded or prejudice the exercise of the executive power of the Union?
- (a) 258 (b) 257 (c) 355 (d) 356
608. Under which Article of the Indian Constitution did the President give his assent to the ordinance on electoral reforms when it was sent back to him by the Union Cabinet without making any changes (in the year 2002)?
- (a) 121 (b) 124 (c) 123 (d) 122
609. Which one of the following statements is correct?
- (a) There is no constitutional bar for a nominated member to be appointed as a Union Minister
- (b) A nominated member can vote both in the Presidential and Vice Presidential elections
- (c) Only the Rajya Sabha and not the Lok Sabha can have nominated members
- (d) There is a constitutional provision for nominating two members belonging to the Anglo-Indian community to Rajya Sabha
610. The power to enlarge the jurisdiction of the Supreme Court of India with respect to any matter included in the Union List of Legislative Powers rests with
- (a) Chief Justice of India (b) President
- (c) Parliament (d) Union Minister of Law
611. Under which Article of the Indian Constitution did the President make a reference to the Supreme Court to seek the Court's opinion on the Constitutional validity of the Election Commission's decision on deferring the Gujarat Assembly elections (in the year 2002)?
- (a) 140 (b) 141 (c) 142 (d) 143
612. Which one of the following statements is not correct?
- (a) Among all the States of India, Maharashtra publishes the largest number of newspapers
- (b) Press Trust of India is the largest news agency in the country
- (c) The Press Information Bureau provides accreditation to media persons so as to have easy access to information from government sources
- (d) The Press Council of India is an autonomous quasi-judicial body established under an Act of Parliament
613. With reference to the Indian Polity, which one of the following statements is correct?
- (a) President can make the ordinance only when either of the two Houses of Parliament is not in session
- (b) The minimum age prescribed for appointment as a Judge of the supreme Court is 40 years

- (c) National Development Council is constituted of Union Finance Minister and the Chief Ministers of all States
(d) Planning Commission is accountable to Parliament
614. The Consultative Committee of the Members of Parliament for Railway Zones is constituted by
(a) Ministry of Transport (b) Ministry of Railways
(c) Ministry of Parliamentary Affairs (d) President of India
615. The Supreme Court of India tenders advice to the President of India on the matter of law or fact
(a) Only if he seeks such advice
(b) Only if the matter relates to the Fundamental Rights of the citizens
(c) On its own initiative
(d) Only if the issue poses a threat on unity and integrity of the country
616. Which is correct under the hierarchy of Courts?
(a) Supreme Court, High Courts, Other Courts
(b) Other Courts, Supreme Court, High Courts
(c) Supreme Court, Other Courts, High Courts
(d) High Courts, Other Courts, Supreme Court
617. 'Judicial Activism' refers to
(a) Activity of Judges (b) Loss of jurisdiction of courts
(c) Expansion of jurisdiction of courts (d) None of these
618. Which one of the following duty is not performed by the Comptroller and Auditor General of India?
(a) To control the receipt and issue of public money, and to ensure that the public revenue is lodged in the exchequer
(b) To audit and report on the expenditure from the Consolidated Fund of India
(c) To audit and report on the expenditure from the Contingency Fund and Public Accounts
(d) To audit and report on all trading, manufacturing, profit and loss accounts
619. If a new State of Indian Union is to be created, which Schedule of Constitution must be amended?
(a) Fourth (b) Third (c) Second (d) First
620. Which subject is under the Union List in the 7th Schedule of the Constitution of India?
(a) Fisheries (b) Agriculture
(c) Regulation of labor and safety in mines and oilfields (d) Public Health

621. The Speaker can ask a member of the House to stop speaking and let another member speak. This phenomenon is known as
- (a) Decorum (b) Interpellation
(c) Crossing the floor (d) Yielding the floor
622. The sovereign power under the Indian Constitution rests with the
- (a) Judiciary (b) People of India
(c) President (d) Parliament
623. Parliament is an instrument of _____ Justice.
- (a) Political (b) Legal
(c) Social (d) Economic
624. Under which Article of the Constitution does the Central Government give Plan assistance to the State Government?
- (a) 276 (b) 275 (c) 281 (d) 282
625. Which one of the following is the correct sequence of Union Territories of India in the increasing order of their area?
- (a) Lakshadweep – Chandigarh – Pondicherry – Andaman and Nicobar Islands
(b) Lakshadweep – Chandigarh – Andaman and Nicobar Islands – Pondicherry
(c) Pondicherry – Lakshadweep – Chandigarh – Andaman and Nicobar Islands
(d) Pondicherry – Lakshadweep – Andaman and Nicobar Islands – Chandigarh
626. What is Value Added Tax?
- (a) A single tax that replaces State Tax like surcharge, turnover tax, etc
(b) A new tax to be imposed on the producers of the capital goods
(c) A simple, transparent, easy to pay tax imposed on the consumers
(d) A new initiative taken by the Government to increase the tax burden of high income groups
627. The VAT adopted by 21 States replaced which of the following taxes?
- (a) Service Tax (b) Excise Duty
(c) State Sales Tax (d) Customs Duty
628. Which one of the following is not a Central Government Tax?
- (a) Corporation Tax (b) Customs
(c) Income Tax (d) Land Tax
629. Who is the President of the Council of Scientific and Industrial Research?
- (a) President (b) Vice President
(c) Prime Minister (d) Science and Technology Minister

630. Consider the following statements:

- (i) The Rajya Sabha alone has the power to declare that it would be in national interest for the Parliament to legislate with respect to a matter in the State List.
- (ii) Resolutions approving the Proclamation of Emergency are passed only the Lok Sabha

Which of the following statement(s) given above is / are correct?

- (a) i only
- (b) ii only
- (c) Both i and ii
- (d) Neither i nor ii

631. Under the Constitution, which of the following functionaries can be suspended?

- (i) Members of Public Service Commission
- (ii) Election Commissioner other than Chief Election Commissioner
- (iii) State Election Commission

Choose the correct answer(s):

- (a) i only
- (b) ii and iii only
- (c) iii only
- (d) i and iii only

632. In India, present trend of rapid urbanization is due to

- (a) Lack of employment opportunities in rural areas
- (b) Abolition of Zamindari system
- (c) Break up of joint family system
- (d) Influence of cinema and electronic media

633. Under the Indian Parliamentary practices, normally how many sessions take place?

- (a) 6
- (b) 5
- (c) 4
- (d) 3

634. The Contingency Fund of India rests at the disposal of the

- (a) Parliament
- (b) President
- (c) Comptroller and Auditor General
- (d) Lok Sabha

635. Which is not a characteristic of economically under developed countries?

- (a) High birth rate
- (b) Low level of literacy
- (c) High proportion of labor in secondary activity
- (d) High use of optimal power

636. Who declares war and concludes peace?

- (a) President, in the advice of the Cabinet
- (b) Union Council of Ministers
- (c) Prime Minister
- (d) Parliament

VI. STATE GOVERNMENT

1. Who appoints the Governor of the State?
(a) Chief Minister (b) Chief Justice of India
(c) Chief Justice of State (d) The President
2. Membership of Legislative Assembly can vary between
(a) 60 - 500 (b) 70 - 400 (c) 100 - 300 (d) 100 - 400
3. What is the minimum age in years for becoming the MLC and MLA in the State?
(a) 40 and 35 (b) 35 and 30 (c) 30 and 25 (d) 45 and 40
4. What is the tenure in years of Office of MLA and MLC in the State?
(a) 5 and 5 (b) 5 and 6 (c) 6 and 6 (d) Indefinite
5. What is the eligibility age and tenure of Office of the Governor? (in years)
(a) 40 and 5 (b) 35 and 6 (c) 35 and 5 (d) 40 and 6
6. The State Legislature unless dissolved earlier shall continue for a period of _____ years.
(a) 2 (b) 6 (c) 4 (d) 5
7. The Legislative Council shall not be subjected to dissolution however one-third of its members shall retire after every _____ years.
(a) 2 (b) 3 (c) 4 (d) 5
8. Who appoints the Vice Chancellors of the Universities?
(a) President (b) Education Minister
(c) Chief Minister (d) Governor
9. Who is the Executive (Constitutional) Head of the State Government?
(a) President (b) Chief Minister
(c) Governor (d) Prime Minister
10. The Executive powers of the State Government shall be exercised in the name of
(a) Governor (b) Chief Minister (c) President (d) Prime Minister
11. Generally, the Governor belongs to
(a) IAS Officer (b) the neighboring State
(c) the same State (d) some other State
12. The Governor of a State acts as
(a) Real Executive of a State (b) Agent of President
(c) Advisor to Central Government (d) None of these

13. The Governor of the State shall be appointed by the
(a) Prime Minister (b) Chief Minister
(c) President (d) Supreme Court
14. The Governor holds Office
(a) during the pleasure of the President
(b) as long as he / she enjoys the confidence of the Chief Minister
(c) as long as he / she enjoys the confidence of the Council of Ministers of the State
(d) during the pleasure of the Union Council of Ministers
15. As a matter of convention, while appointing the Governor of a State, the President consults
(a) State Chief Minister (b) Chief Justice of India
(c) President (d) All of them
16. The Governor is the part and parcel of the
(a) Union Judiciary (b) State Judiciary
(c) State Legislature (d) Parliament
17. The salary and allowances of the Governor are charged to
(a) The Consolidated Fund of the State (b) The Consolidated Fund of India
(c) The Contingency Fund of India (d) (a) and (b) in equal proportions
18. The emoluments of the Ministers in the State Government are determined by
(a) The Chief Minister (b) Legislative Assembly
(c) The Governor (d) The President
19. The salaries and allowances of the Speaker of Legislative Assembly and Chairman of Legislative Council shall be determined by the
(a) Governor (b) Parliament
(c) Legislative Assembly (d) State Legislature
20. The emoluments, allowances and privileges of the Governor shall be determined by the
(a) Prime Minister (b) Chief Minister (c) Parliament (d) President
21. If the Governor of a State wishes to relinquish Office before the expiry of his / her term, he / she has to address resignation
(a) Chief Minister
(b) President
(c) Prime Minister
(d) Speaker of State Legislative Assembly

22. The Governor plays a dual role as an agent of the President and as the
- (a) Constitutional Head of the State
 - (b) Agent of the Prime Minister
 - (c) Agent of the Chief Justice of India
 - (d) Agent of the Chief Minister of the State
23. The Governor of a State should
- (a) not hold any other office of profit
 - (b) be resident of the State
 - (c) have completed the age of 45 years
 - (d) be a member of Lok Sabha
24. The Governor may resign his / her Office by writing to the
- (a) Chief Justice of India
 - (b) Vice President
 - (c) President
 - (d) Chief Justice of High Court
25. Can one person act as Governor of more than one State?
- (a) No
 - (b) Yes
 - (c) Only for a period of six months
 - (d) Only for a period of three months
26. When a person acts as Governor of more than one State, his / her salary is
- (a) shared by the concerned States
 - (b) paid by the Union Government
 - (c) charged on the Consolidated Fund of India
 - (d) paid by the State named by the President
27. Which one of the following legislative powers is enjoyed by the Governor?
- (a) can nominate certain members of Anglo-Indian community to the Legislative Assembly
 - (b) can summon or prorogue the State Legislative
 - (c) can appoint one-sixth the members of the Legislative Council
 - (d) all these powers
28. Who discharges the duties of the Office of Governor if it falls vacant due to death or resignation?
- (a) Chief Minister
 - (b) Chief Justice of High Court
 - (c) Speaker of State Legislative Assembly
 - (d) President appoints a new Governor immediately

29. The Governor of a State is administered the oath of Office by (OR) The Governor before entering upon his Office has to administer his oath before the
- (a) President (b) Chief Justice of India
(c) Chief Justice of High Court (d) None of these
30. There is no provision for the impeachment of the
- (a) Vice President
(b) Chief Justices of High and Supreme Courts
(c) Governor
(d) President
31. Which one of the following is correct regarding the Governor of a State?
- (a) No Money Bill can be introduced in State Legislature without prior permission of Governor
(b) He can recommend to the President to impose President's Rule in the State
(c) He has the power to issue ordinances when the legislature is not in session
(d) All of the above
32. The Governor can issue ordinances
- (a) only during the recess of the State Legislature
(b) only when Chief Minister asks to do so
(c) only in case of breakdown of constitutional machinery in the State
(d) only after taking formal approval of the President
33. The ordinances issued by the Governor are subject to approval by the
- (a) President (b) Chief Justice of High Court
(c) State Legislature (d) Chief Minister
34. A Governor
- (a) may be transferred from one State to another State
(b) cannot be transferred from one State to another State
(c) can be transferred with his consent
(d) can be transferred with the written consent of the President
35. The Governor has power to dissolve
- (a) Legislature (b) Legislative Council
(c) Legislative Assembly (d) All of these
36. Who appoints and administers the oath for the Chief Minister and Council of Ministers?
- (a) President (b) Governor
(c) Prime Minister (d) Chief Justice of High Court

37. The Contingency Fund of the State is operated by the
(a) Union Finance Minister (b) Chief Minister
(c) State Finance Minister (d) Governor
38. The Governor is accountable for his / her actions to the
(a) Prime Minister (b) President
(c) Council of Ministers of the State (d) State Legislature
39. Unless approved by the State Legislature, the ordinance issued by the Governor remains in force for a maximum period of
(a) three months (b) six months
(c) one year (d) indefinitely
40. A Legislative Bill which did not receive the Governor's immediate assent was
(a) Jammu & Kashmir citizenship (b) Tamil Nadu Press Bill
(c) Assam citizenship (d) Bihar Prevention Detention
41. The District Judges and Magistrate of the Civil Courts shall be appointed by the
(a) High Court (b) Chief Minister
(c) Governor (d) Chief Justice of High Court
42. The High Court of Karnataka established in the year
(a) 1947 (b) 1944 (c) 1900 (d) 1884
43. The Guwahati High Court has territorial jurisdiction over ___ number of States.
(a) 2 (b) 3 (c) 6 (d) 7
44. Which High Court has four Principal Benches?
(a) Guwahati (b) Bombay
(c) Calcutta (d) Punjab and Haryana
45. The High Court for the territory of Andaman and Nicobar is the High Court of
(a) Kerala (b) Tamil Nadu
(c) West Bengal (d) Andhra Pradesh
46. The number of States under the Jurisdiction of a High Court shall be decided on the basis of
(a) Area and Population (b) Number of Judges
(c) Number of Cases (d) Discretion of Parliament
47. Who decides the number of Judges in the High Court?
(a) Governor (b) Parliament
(c) President (d) State Legislature

48. High Courts in India were first started (1862) at
(a) Bombay, Calcutta and Madras (b) Bombay and Delhi
(c) Calcutta and Delhi (d) Allahabad
49. The Governor can recommend imposition of President's Rule in the State
(a) At his discretion
(b) On the recommendation of the Council of Ministers
(c) On the recommendation of the State Legislature
(d) Only on demand from the President
50. The term of Legislative Assembly can be extended for a period of ____ during the time of Emergency.
(a) One full term (b) Two years
(c) One year (d) No such extension
51. Governor will act under the following circumstance with advice of Ministers while returning
(a) Appointing the Advocate General (b) Dissolving Legislative Assembly
(c) Recommending President's Rule (d) The Bill for reconsideration
52. Parliament or State Legislature can declare a seat vacant if the member is absent from the session for a period of ____ days without permission.
(a) 30 (b) 60 (c) 45 (d) 90
53. 'Bicameral' means
(a) Presence of two Houses in the State (b) Presence of one House in the State
(c) Presence of half House in the State (d) None of these
54. 'Unicameral' means
(a) Presence of one House in the State (b) Presence of two Houses in the State
(c) Presence of half House in the State (d) None of these
55. What is the system of Legislature in the State of Karnataka?
(a) Cameral (b) Unicameral
(c) Bicameral (d) None of these
56. Which State(s) is / are having Bicameral system?
(a) Uttar Pradesh (b) Karnataka (c) Maharashtra (d) All of these
57. Which State(s) is / are having Unicameral system?
(a) West Bengal (b) Andhra Pradesh
(c) Tamil Nadu (d) All of these

58. Which are the two States having common Capital?
(a) Punjab and Haryana (b) Punjab and Himachal Pradesh
(c) Haryana and Uttaranchal (d) Uttaranchal and Himachal Pradesh
59. Sikkim was admitted as a full-fledged State of Indian Union in the year _____.
(a) 1978 (b) 1972 (c) 1975 (d) 1980
60. The Residuary power with respect to the Jammu & Kashmir rest with the
(a) State Government of Jammu & Kashmir (b) Union Government
(c) Both (a) and (b) (d) None of these
61. Who appoints the Governor of Jammu & Kashmir?
(a) Prime Minister (b) Parliament
(c) President (d) Legislature of Jammu & Kashmir
62. Which of the following bodies can be abolished but not dissolved?
(a) Rajya Sabha (b) State Legislative Council
(c) Municipal Bodies (d) None of these
63. Who appoints the Chief Minister and Council of Ministers in the State?
(a) President (b) Chief Justice of High Court
(c) Chief Justice of India (d) Governor
64. Who appoints the Chief Justice and other Judges of the High Court?
(a) Prime Minister (b) Governor
(c) President (d) Chief Justice of India
65. What is the retirement age in years for Chief Justice and other Judges of High Court?
(a) 60 (b) 62 (c) 65 (d) 63
66. Salaries and other emoluments of the High Court Judges shall be determined by the
(a) Governor (b) State Legislature
(c) Parliament (d) Chief Minister
67. Which among the following Article of the Constitution empowers the High Court to issue writs of various kinds?
(a) 32 (b) 224 (c) 214 (d) 226
68. Writ Jurisdiction of the Supreme Court under Article 32 is not wider than that of the Writ Jurisdiction of the High Court under Article 226 because the High Court may exercise this power in relation to
(a) Violation of Fundamental and Legal Rights
(b) Civil and Criminal Matters
(c) Fundamental Rights and Stay proceedings
(d) None of these

69. Article 227 of the Indian Constitution deals with the
- (a) High Court's power of superintendence over all Courts and Tribunals within its Jurisdiction
 - (b) Judicial review
 - (c) Power of Speaker of Legislative Assembly
 - (d) Election of Vice President
70. Who has power to establish common High Court for two or more States and Union Territories?
- (a) Rajya Sabha
 - (b) Supreme Court
 - (c) President
 - (d) Parliament
71. In Karnataka, the number of seats in Legislative Assembly and Legislative Council are
- (a) 200 and 50
 - (b) 75 and 224
 - (c) 224 and 75
 - (d) None of these
72. Who is having power to remove the Governor before expiry of the tenure?
- (a) Chief Minister
 - (b) Prime Minister
 - (c) Chief Justice of State
 - (d) President
73. What is the retirement age in years of a High Court Judge?
- (a) 60
 - (b) 62
 - (c) 64
 - (d) 58
74. The total members in the Legislative Council should not be less than (Article 171).
- (a) 50
 - (b) 45
 - (c) 40
 - (d) 55
75. The Legislative Council is a permanent House, however, _____ number of members retire after every _____ years.
- (a) One-third and 2
 - (b) One-third and 3
 - (c) Two-third and 2
 - (d) Two-third and 3
76. A Cabinet Minister of a State Government can be removed by the
- (a) Cabinet
 - (b) Governor
 - (c) Chief Minister
 - (d) Chief Minister with consent of Cabinet
77. The Council of Ministers in the State remains in power for
- (a) as long as it retains the confidence of Legislative Assembly
 - (b) five years
 - (c) during the pleasure of the Governor
 - (d) during the pleasure of the President

78. The State Council of Ministers has to tender their resignation if vote of no-confidence is passed against it by the
- (a) Legislative Council
 - (b) Legislative Assembly
 - (c) Governor
 - (d) Joint session of both Legislative Assembly and Legislative Council
79. Who is the Channel of Communication between the Governor and the State Council of Ministers?
- (a) Chairman of Legislative Council
 - (b) Speaker of Legislative Assembly
 - (c) Parliamentary Affairs Minister
 - (d) Chief Minister
80. Chief Minister of all the States are the Members of
- (a) Finance Commission
 - (b) Inter-State Council
 - (c) National Development Council
 - (d) Planning Commission
81. This is not the power of the Chief Minister.
- (a) Chief Advisor to the Governor
 - (b) Control over State Judiciary
 - (c) Control over the Ministers
 - (d) Formation of the Government
82. The Chief Minister of a State cannot take part in the election of President if he is
- (a) A member of the Legislative Council of the State
 - (b) Heading a caretaker government in the State
 - (c) Not proved his majority in the Legislative Assembly
 - (d) Himself a candidate of Presidentship
83. If a member of Lok Sabha is appointed as the Chief Minister of a State
- (a) He must become a member of the State Legislature within six months
 - (b) He continues to be a member of Lok Sabha for six months but cannot vote in the House
 - (c) He ceases to be a member of the Lok Sabha after 14 days
 - (d) None of these
84. What is the effect of the resignation or death of the Chief Minister of the State?
- (a) Mid-term Polls
 - (b) New Chief Minister takes oath
 - (c) Dissolves the Legislative Assembly
 - (d) None of these
85. Which tax is levied by the Union and collected and appropriated by the States?
- (a) Estate duty
 - (b) Passenger and Goods taxes
 - (c) Stamp duties
 - (d) Taxes on newspapers

86. Which category of professional people are entitled to elect their representatives to the State Legislative Council?
- (a) Teachers of not lower than secondary school level in the State
 - (b) Doctors doing private practice in the State
 - (c) Chartered Accountants practicing in the State
 - (d) Lawyers practicing in the Courts
87. The Graduates constitute a separate constituency for the election of the specified number of members to
- (a) Rajya Sabha
 - (b) State Legislative Assembly
 - (c) State Legislative Council
 - (d) Lok Sabha
88. Legislative Council is
- (a) not dissolved
 - (b) dissolved after 3 years
 - (c) dissolved after 5 years
 - (d) dissolved after 6 years
89. How many States in India have Legislative Councils?
- (a) 4
 - (b) 5
 - (c) 6
 - (d) 7
90. Which among the following House cannot be dissolved but can be abolished?
- (a) Lok Sabha
 - (b) Legislative Assembly
 - (c) Rajya Sabha
 - (d) Legislative Council
91. Without certificate of High Court, an appeal can made to Supreme Court
- (a) with the special leave of Supreme Court
 - (b) if the party is war widow
 - (c) if the party belongs to SC
 - (d) if the party belongs to ST
92. What is meant by 'Court of Records'?
- (a) The court that preserves all the records
 - (b) The court that maintains records of all lower courts
 - (c) The court that can punish for its contempt
 - (d) The court that is competent to give directions and issue writs
93. The Legislative Council in a State can be created or disbanded by the
- (a) Parliament
 - (b) Parliament on the recommendation of the State Legislative Assembly
 - (c) State Legislative Assembly
 - (d) President on the recommendation of the State Governor

94. The Members of the State Legislature can claim immunity from _____ Proceedings.
- (a) Criminal (b) Civil
(c) Civil and Criminal (d) None of these
95. The major part of following central revenues goes to various State Governments in India
- (a) Income Tax (b) Gift Tax
(c) Wealth Tax (d) Excise Duty
96. Which of the following is the most important source of revenue of the states in India?
- (a) Excise Duties (b) Professional Tax
(c) Land Revenues (d) Sales Tax
97. Who Superintendents all subordinate courts in a State?
- (a) High Court (b) Supreme Court
(c) Union Law Minister (d) Advocate General
98. Which one of the following High Courts has the territorial jurisdiction over Andaman and Nicobar Islands?
- (a) Orissa (b) Madras
(c) Andhra Pradesh (d) Calcutta
99. Power to extend or restrict the Jurisdiction of High Court vest with
- (a) President (b) Parliament
(c) Supreme Court (d) Chief Justice of India
100. A temporary Judge of High Court can hold Office for a maximum period of
- (a) Two years (b) One year
(c) Six months (d) Two months
101. Which one of the following Union Territories has a High Court of its own?
- (a) Chandigarh (b) Pondicherry
(c) Delhi (d) Daman and Diu
102. When there is no majority party in the State Legislative Assembly, the main consideration governing the appointment of a Chief Minister by Governor is the
- (a) ability of the person who is most likely to command a stable majority
(b) largest political party in the Legislative Assembly
(c) the loyalty and support of the party members to their respective party programme
(d) none of these

103. If there is a dispute between two States
- (a) only Supreme Court has jurisdiction to decide that case
 - (b) High Court has jurisdiction to decide that case
 - (c) with the consent of both the states, High Court may decide that case
 - (d) if one of the States does not agree to approach the High Court, the dispute must be decided by the Supreme Court
104. Which of the following States are involved in disputes over sharing of river waters?
- (a) Madhya Pradesh and Gujarat
 - (b) Andhra Pradesh and Karnataka
 - (c) Karnataka and Tamil Nadu
 - (d) All of these
105. Constitution empowers State Governments to make special law for
- (a) Farmers
 - (b) Workers working in mines
 - (c) Women and Children
 - (d) Unemployed youths
106. The State Government does not enjoy any control over local bodies with regard to
- (a) Legislation
 - (b) Financial matters
 - (c) Personal matters
 - (d) Grievances of citizens
107. The Speaker of the Legislative Assembly shall be elected by the
- (a) Citizens of State
 - (b) Members of State Legislature
 - (c) Governor of State
 - (d) Members of Legislative Assembly
108. The Speaker of Legislative Assembly can vacate his Office by addressing his resignation to the
- (a) President
 - (b) Chief Minister
 - (c) Deputy Speaker of Legislative Assembly
 - (d) Governor
109. Find out the correct response: 'After the State Legislature is dissolved the Speaker of Legislative Assembly'?
- (a) Remains as Speaker until the 1st Meeting of the Legislative Assembly after the dissolution
 - (b) Removed from the Office immediately
 - (c) He has to submit his resignation to the Deputy Speaker
 - (d) He can continue as Speaker for a period of 30 days
110. The Speaker of the Legislative Assembly shall be removed by the House by passing a resolution
- (a) after 14 days clear notice passed by majority of all the Members of the House
 - (b) of a House passed by majority of total membership of the House
 - (c) passed by two-third majority of Members present and voting

111. Who among the following is described as the Custodian of State Legislative Assembly?
(a) Leader of Opposition (b) Speaker
(c) Chief Minister (d) Deputy Chief Minister
112. Who is the neutral in the affairs of the party politics?
(a) Finance Minister (b) Chief Minister
(c) Home Minister (d) Speaker of Legislative Assembly
113. The Speaker of Legislative Assembly enjoys
(a) Right to vote only in case of tie (b) No right to vote
(c) Right to vote like the other members (d) Special two votes
114. What is the minimum gap permissible between the two sessions of the Legislature?
(a) Two months (b) Three months (c) Six months (d) Six weeks
115. The authority to allot the agenda of the State Legislative Assembly is
(a) Chairman of Legislative Council (b) Speaker of Legislative Assembly
(c) Chief Minister (d) Governor
116. Find out the correct response to the Ordinance promulgated by the Governor?
(a) has the same force as the law made by the State Legislature
(b) is more extensive than the law made by the State Legislature
(c) is much narrower than the law made by the State Legislature
(d) it depends upon facts and circumstances of the case
117. What shall be the qualification of a person to be appointed as the Advocate General for the State?
(a) Qualified to be appointed as Judge of High Court
(b) Qualified to be appointed as Judge of District Court
(c) Qualified to be appointed as Judge of Supreme Court
(d) Has put in practice for at least five years in High Court
118. The Governor does not appoint
(a) Chief Minister
(b) Members of State Public Service Commission
(c) Judges of High Court
(d) Deputy Chief Minister
119. An Advocate General shall hold Office during the pleasure of the
(a) Prime Minister (b) President
(c) Chief Minister (d) Governor

120. Who has the power to create and abolish Legislative Council if the Legislative Assembly of State passes a resolution to that effect?
- (a) Governor (b) Parliament
(c) President (d) Chief Minister
121. Which of the following taxes is levied by the State Government only?
- (a) Entertainment Tax (b) Corporation Tax
(c) Income Tax (d) Wealth Tax
122. Goa got the status of Statehood by the way of ____ Constitutional Amendment.
- (a) 60th (b) 52nd (c) 50th (d) 56th
123. Law with regard to Anti-defection is inserted by way of ____ Constitutional Amendment.
- (a) 60th (b) 50th (c) 52nd (d) 61st
124. Among the following Amendments, which is considered as Mini-Constitution?
- (a) 42nd (b) 24th (c) 44th (d) 25th
125. 73rd and 74th Constitutional Amendments is pertaining to
- (a) Land Reforms
(b) Statehood to Goa
(c) Extension of reservation to SCs and STs
(d) Local Self Government
126. State Emergency (President's Rule) can be declared
- (a) When the Government of the State cannot be carried in accordance with the Provision of the Constitution
(b) When the party forming the Ministry has a total rout in the election of Lok Sabha
(c) When the State Government refuses to follow the direction given by the Supreme Court
(d) When the Chief Minister resigns
127. Which Article gives Special Provisions to the State of Jammu & Kashmir?
- (a) 372 (b) 370 (c) 395 (d) 368
128. The President can make a Proclamation of Emergency in Jammu & Kashmir with the
- (a) Concurrence of the State Legislature (b) Concurrence of the Chief Minister
(c) Concurrence of the State Governor (d) Prior consent of the Parliament
129. There is no provision in the Constitution for the impeachment of
- (a) Chief Justice of India (b) Vice President
(c) Governor (d) Chief Justice of High Court

130. The member of State Public Service Commission can be removed on the ground of misbehavior only after an enquiry has been conducted by the
- (a) Supreme Court of India
 - (b) High Court of the State
 - (c) Committee appointed by President
 - (d) Committee appointed by State Governor
131. Who can recommend abolition or creation of the Legislative Council in a State?
- (a) Legislative Assembly of the State
 - (b) The State Council of Ministers
 - (c) The State Governor
 - (d) Advocate General of the State
132. Where were the High Courts in India first set up?
- (a) Bombay and Madras
 - (b) Bombay, Delhi and Calcutta
 - (c) Bombay, Madras and Calcutta
 - (d) Delhi and Calcutta
133. The High Courts at Bombay, Calcutta and Madras were established under the
- (a) Indian High Courts Act, 1861
 - (b) Indian High Courts Act, 1865
 - (c) Indian High Courts Act, 1911
 - (d) Government of India Act, 1919
134. The Additional and Acting Judges of the High Court are appointed by the
- (a) Governor
 - (b) President
 - (c) Chief Justice of High Court in consultation with Chief Justice of India
 - (d) Chief Justice of India in consultation with President
135. High Courts exercise
- (a) Independent Jurisdiction
 - (b) Special Jurisdiction
 - (c) Writ Jurisdiction
 - (d) No Writ powers
136. As per Indian Protocol, who among the following ranks highest in the order of precedence?
- (a) Speaker of Lok Sabha
 - (b) Deputy Prime Minister
 - (c) State Governor
 - (d) Former President
137. The salaries and allowances of the Judges of the High Court are charges to the
- (a) Consolidated Fund of the State
 - (b) Consolidated Fund of India
 - (c) Contingency Fund of the State
 - (d) Contingency Fund of India
138. High Courts enjoy
- (a) Original Jurisdiction
 - (b) Administrative powers
 - (c) Appellate Jurisdiction
 - (d) All of these

139. In which area does the State Government not have control over its Local Bodies?
- (a) Personnel matters (b) Legislation matters
(c) Financial matters (d) Citizen's grievances
140. Which State Government has decided to provide health insurance to people living below the poverty line with effective from January 2007?
- (a) Orissa (b) Karnataka
(c) Andhra Pradesh (d) West Bengal
141. What was the scheme to reduce interest burden of the State Government in India through gradual conversion of high cost debt into low cost debt?
- (a) Debt-write off Scheme (b) Debt-swap Scheme
(c) Grants-in-aid Scheme (d) Debt-consolidation Scheme
142. What is the chronological order in which the following States of Indian Union were created or granted full statehood?
- (1) Andhra Pradesh (2) Nagaland
(3) Maharashtra (4) Haryana
- Select the correct answer using the code given below:
- (a) 1 3 2 4 (b) 1 3 4 2 (c) 3 1 2 4 (d) 3 1 4 2
143. Which among the following can be transferred by the President which related to High Court?
- (i) Chief Justice (ii) Permanent Judge (iii) Additional Judge
- Choose the correct answer:
- (a) i (b) i and ii (c) ii and iii (d) i, ii and iii
144. Which Constitutional Amendment is associated with the linguistic reorganization of a State?
- (a) 5th (b) 6th (c) 7th (d) 3rd
145. Full Statehood was conferred to Arunachal Pradesh by the ___ Amendment of the Constitution.
- (a) 65th (b) 60th (c) 44th (d) 55th

VII. CONSTITUTIONAL PROVISIONS FOR SCs AND STs, WOMEN, CHILDREN AND OBCs

1. Which Article under the Constitution provides for the reservation of SCs and STs in the Lok Sabha?
- (a) 370 (b) 338 (c) 338A (d) 300

11. Who are considered to be the vulnerable group?
 - (a) STs
 - (b) SCs
 - (c) Women and Children
 - (d) All of these
12. In which one of the following States is it constitutionally obligatory for the State to have a separate Minister for Tribal Welfare?
 - (a) Orissa
 - (b) Bihar
 - (c) Madhya Pradesh
 - (d) All these States
13. The reservation for members of SCs and STs has been extended up to
 - (a) 2005
 - (b) 2010
 - (c) 2015
 - (d) 2020
14. Extension of reservation to SCs and STs for another 10 years is provided by way of ____ Constitutional Amendment.
 - (a) 86th
 - (b) 44th
 - (c) 45th
 - (d) 90th
15. Reservation for the SCs and STs in the Parliament and State Assemblies was extended up to 2010 by the Amendment
 - (a) 64th
 - (b) 79th
 - (c) 61st
 - (d) 62nd
16. Concept of '*creamy layer*', propounded by Supreme Court with regard to reservations, refers to
 - (a) Other Backward Classes
 - (b) economically better-off people
 - (c) defence personnel
 - (d) non-residents Indians
17. What is the maximum percentage of jobs that can be reserved by a State for backward class people in the government jobs?
 - (a) 70%
 - (b) 60%
 - (c) 65%
 - (d) 50%
18. The Tamil Nadu Reservation Act, which provides for 69% reservation in the jobs and educational institutional in the State, was placed in the Ninth Schedule by the Amendment
 - (a) 74th
 - (b) 75th
 - (c) 76th
 - (d) None of these
19. Which Article provides for the National Commission of SCs / STs?
 - (a) 340 / 339
 - (b) 338A / 338
 - (c) 339 / 340
 - (d) 338 / 338A
20. The National Commission for SCs and STs has to submit an Annual report to the
 - (a) Parliament
 - (b) President
 - (c) Ministry of Human Resources Development
 - (d) Lok Sabha

21. Which Article of the Indian Constitution empowers the President to appoint a Commission to investigate the conditions of backward classes in general and suggest ameliorative measures?
(a) 340 (b) 344 (c) 342 (d) 389
22. Certain seats shall be reserved for the SCs and STs in Lok Sabha on the basis of their
(a) Education (b) Backwardness
(c) Representation in the House (d) Population
23. Minority Groups are recognized on the basis of their
(a) Population (b) Religion (c) Race (d) Caste
24. Special provisions relating to the Minorities are guaranteed under the Part _____.
(a) XV (b) XVI (c) XX (d) XIV
25. Jobs are reserved for SC and ST people
(a) both at the time of appointment and promotion
(b) on the basis of their annual income
(c) at the time of appointment
(d) at the time of promotion
26. The Mandal Commission for backward classes was set up in
(a) 1996 (b) 1987 (c) 1986 (d) 1978
27. Which is the Commission appointed by the Government of India to investigate the conditions of socially and educationally backward classes of the society?
(a) Singhvi (b) Nanavathi
(c) Mandal (d) Narasimhan
28. Which of the following Prime Minister was in favour of implementation of the recommendation of the Mandal Commission?
(a) V. P. Singh (b) Chandrashekar
(c) P. V. Narasimha Rao (d) both (a) and (b)
29. Who is empowered to nominate Anglo-Indian Community to Lok Sabha / Legislative Assembly?
(a) Speaker of Lok Sabha / Legislative Assembly
(b) Prime Minister / Chief Minister
(c) President / Governor
(d) None of these
30. How many members will be nominated by President / Governor from Anglo-Indian Community?
(a) 2 / 3 (b) 1 / 2 (c) 3 / 2 (d) 2 / 1

31. In which one of the following States there is no reservation for the SCs for Lok Sabha?
(a) Meghalaya (b) Arunachal Pradesh
(c) Jammu & Kashmir (d) All of these
32. Under the Provisions of which Article of the Constitution, the Government abolished the practice of untouchability?
(a) 16 (b) 17 (c) 18 (d) 20

VIII. EMERGENCY PROVISIONS

- Emergency Provisions were borrowed from the Constitution of
(a) Britain (b) USA (c) Germany (d) Ireland
- Emergency Provisions under Indian Constitution describes the nature of Indian Polity as
(a) Federal (b) Unitary (c) Quasi-federal (d) Quasi-unitary
- Which Article under the Constitution authorizes the President to proclaim an emergency?
(a) 324 (b) 350 (c) 250 (d) 352
- Emergency Provisions are enshrined under _____ Part of the Constitution.
(a) XVII (b) XVIII (c) XVI (d) XV
- According to the Article 355, it is the duty of the Union to protect States against
(a) External Aggression (b) Constitutional Breakdown
(c) Internal Disturbance (d) All of these
- The Indian Constitution is designed to work as a Unitary Government during the time of
(a) Emergency (b) Normalcy
(c) When the Parliament so desires (d) At the will of President
- When the National Emergency is declared, the following Article is suspended?
(a) 19 (b) 16 (c) 18 (d) 14
- While Proclamation of Emergency is in operation, the President cannot suspend certain Fundamental Rights. They are
(a) 14 and 15 (b) 20 and 21 (c) 14 and 16 (d) 32
- The final authority to make a Proclamation of Emergency rests with (OR) _____ is empowered to declare an Emergency.
(a) Parliament (b) Prime Minister
(c) Council of Ministers (d) President

19. When the Proclamation of Emergency is in operation, Parliament has power to make laws for the whole or any part of the territory of India under
- (a) List I (b) List II
(c) List III (d) All of these
20. When the Proclamation of Emergency is in operation, the Parliament has special powers to legislate under
- (a) Concurrent List (b) Union List
(c) State List (d) Residuary List
21. The President can declare National Emergency
- (a) Due to threat arising on account of foreign attack or armed rebellion
(b) Only in the event of foreign attack
(c) Only in the event of armed rebellion
(d) None of these
22. President can proclaim an emergency on the ground of
- (a) External Aggression (b) War
(c) Armed Rebellion (d) All of these
23. How many times has a National Emergency been declared so far by the President?
- (a) Once (b) Twice (c) Thrice (d) Never
24. The President can declare Constitutional Emergency in a State
- (a) If he is satisfied that a situation has arisen in which the State Government cannot be carried out on in accordance with the Constitution
(b) Only on the recommendation of Governor
(c) Only on the recommendation of the State Council of Ministers
(d) Only on the recommendation of the Union Council of Ministers
25. Which type of emergency has been declared the maximum number of times?
- (a) National Emergency (b) Constitutional Emergency
(c) Financial Emergency (d) All three equal number of times
26. Which one of the following types of emergency has not yet declared, till now?
- (a) National Emergency (b) Financial Emergency
(c) Constitutional Emergency (d) None of these
27. A National Emergency can remain in operation with the approval of Parliament for a
- (a) Maximum period of one year (b) Maximum period of six months
(c) Indefinite period (d) Maximum period of three years

28. This is not a ground to declare National Emergency.
- (a) armed rebellion
 - (b) war
 - (c) external aggression
 - (d) serious internal disturbance
29. To declare National Emergency, a decision must be taken by the
- (a) Both Rajya Sabha and Lok Sabha
 - (b) Lok Sabha
 - (c) Rajya Sabha
 - (d) Cabinet
30. Financial Emergency can be proclaimed under the Article ____.
- (a) 356
 - (b) 360
 - (c) 256
 - (d) 352
31. Who is empowered to proclaim the Financial Emergency?
- (a) Parliament
 - (b) Prime Minister
 - (c) President
 - (d) Finance Minister
32. Financial Emergency can be proclaimed on the ground of
- (a) Any part of the Indian Territory is threatened
 - (b) Financial stability
 - (c) Credit of India
 - (d) All of the above
33. The President can declare Financial Emergency
- (a) If there is a threat to the financial stability or credit of India
 - (b) To meet the extraordinary expenses of conducting war
 - (c) On the recommendation of the Comptroller and Auditor General
 - (d) If a majority of a State Legislature so recommends
34. During a Financial Emergency, the President
- (a) Do all these things
 - (b) Order the reduction of salaries of Supreme Court and High Court Judges
 - (c) Order the reduction of salaries and allowances of all Central and State Civil Servants
 - (d) Ask all States to reserve all the Money or Financial Bills passed by the State Legislature for his consideration
35. When the Financial Emergency is under operation, the Union is empowered to
- (a) Discretion of the President
 - (b) Increase the salaries of its employees
 - (c) Reduce the salaries of its employees
 - (d) None of these

36. The three types of Proclamation of Emergency made by the President have to be placed before each House of Parliament for its approval within
- (a) One month in case of National Emergency and within two months due to breakdown of constitutional machinery and Financial Emergency
 - (b) Six months
 - (c) Two months
 - (d) One month
37. Which one of the following emergencies can be declared by the President only on the receipt in writing of the decision of the Union Cabinet
- (a) Emergency due to war, external aggression or armed rebellion
 - (b) Emergency due to breakdown of constitutional machinery in a State
 - (c) Emergency due to threat to financial stability
 - (d) All of the above
38. When a Financial Emergency is proclaimed
- (a) Union Budget will not be presented
 - (b) Repayment of government debts will stop
 - (c) Payment of salaries to public servants will be postponed
 - (d) Salaries and allowances of any class of employees may be reduced
39. If State fails to comply with the directives of the Central Government, the President can
- (a) declare breakdown of the constitutional machinery in the State and assume responsibility for its governance
 - (b) send reserve police force to secure compliance with directions
 - (c) dissolve the State Legislature and order fresh elections
 - (d) can do either (a) or (b)
40. This is not a ground to declare State Emergency
- (a) No clear majority
 - (b) Not complying with the direction given by the Central Government
 - (c) Disobeying the direction given by Supreme Court
 - (d) Failure to maintain law and order in State
41. When a State Emergency is declared, all or any of the functions of the State Government are assumed by the
- (a) Chief Minister
 - (b) Governor
 - (c) President
 - (d) Union Cabinet

42. President made a Proclamation of Emergency on grounds of internal disturbances for first time in
- (a) 1965 (b) 1975
(c) 1962 (d) None of these
43. When the State Emergency is in operation, the President can't interfere in the matters of
- (a) State Legislature (b) State Executive
(c) State Judiciary (d) All of these
44. Who has the duty to protect States against external aggression and internal disturbance?
- (a) Union Government (b) State Government
(c) Army (d) No such duty in Federal States
45. For first time, the President make a Proclamation of Emergency under the Article 352 in
- (a) 1965 (b) 1952 (c) 1962 (d) 1971

IX. ELECTORAL PROCESS

1. The Electoral System of India is largely based on the pattern of
- (a) USA (b) France
(c) Britain (d) None of these
2. The details regarding the Electoral System of India
- (a) were provided by the Parliament through a number of laws
(b) were laid down in the Constitution itself
(c) were provided by the Election Commissioner and approved by the President in 1950
(d) were prescribed through a Presidential ordinance in 1950
3. Who has the power to make necessary provisions with respect to elections?
- (a) Election Commission
(b) President
(c) Parliament
(d) Parliament and respective State Legislatures
4. Who is competent to declare the elections to the Lok Sabha?
- (a) Union Cabinet (b) Chief Minister
(c) President (d) Election Commissioner

5. What is the outstanding feature(s) of the Electoral System of India?
 - (a) Political parties are an indispensable part of the process
 - (b) Based on Universal Adult Franchise
 - (c) Provides a single electoral body
 - (d) All of the above
6. Elections to Lok Sabha and Legislative Assembly in India are conducted on the basis of
 - (a) Limited Suffrage
 - (b) Single Transferable Vote
 - (c) Proportional Representation
 - (d) Adult Franchise
7. What is the system used to elect the President of India?
 - (a) Proportional Representation
 - (b) Direct Election
 - (c) Secret Ballot
 - (d) Preferential system
8. Who is authorized to determine the territorial constituencies after each Census?
 - (a) Election Commission
 - (b) President
 - (c) Parliament
 - (d) State Legislature
9. Which of the following provisions kept democracy alive in India?
 - (a) Fundamental Duties
 - (b) Directive Principles of State Policy
 - (c) Electoral provisions
 - (d) Fundamental Rights
10. Chief Minister of a State is not eligible to vote in the Presidential Election if he is
 - (a) Member of the Legislative Council of the State Legislature
 - (b) Caretaker Chief Minister of the State
 - (c) Yet to prove his majority on the floor of the House of the State Legislature
 - (d) Himself is a candidate for such election
11. Voting age of citizens is changed from 21 to 18 years by ____ Constitutional Amendment Act.
 - (a) 7th
 - (b) 55th
 - (c) 42nd
 - (d) 61st
12. 61st Constitutional Amendment reduced the voting age from
 - (a) 22 to 18
 - (b) 21 to 18
 - (c) 21 to 19
 - (d) 21 to 20
13. Citizen of India have the right to cast his vote after attaining the age of ____ years.
 - (a) 16
 - (b) 21
 - (c) 24
 - (d) 18

14. Elections in India are held on the basis of
 - (a) Single-member constituencies
 - (b) Double-member constituencies
 - (c) Multi-member constituencies
 - (d) Both (a) and (b)
15. The Chief Election Commissioner
 - (a) Appointed by the President
 - (b) Elected by the Parliament
 - (c) Appointed by the Prime Minister
 - (d) Appointed by the Union Home Minister
16. The Chief Election Commissioner holds Office
 - (a) for a fixed term of six years
 - (b) for a fixed term of five years
 - (c) during the pleasure of the President
 - (d) during the pleasure of the Parliament
17. The number of Members in Election Commission including the Chairman is
 - (a) 7
 - (b) 5
 - (c) 3
 - (d) 9
18. Which Article under the Constitution gives power to Election Commission to conduct elections?
 - (a) 320
 - (b) 324
 - (c) 234
 - (d) 335
19. The control and preparation of electoral rolls for Parliament and State Legislature vest with the
 - (a) President
 - (b) Cabinet
 - (c) Prime Minister
 - (d) Election Commission
20. Election to Local Self Government shall be conducted by
 - (a) State Election Commission
 - (b) Regional Election Commission
 - (c) Election Commission
 - (d) Governor
21. Who will conduct the elections to posts of President and Vice President?
 - (a) Parliament
 - (b) Prime Minister
 - (c) Election Commission
 - (d) Both Parliament and State Legislature
22. Election Commission does not conduct election to
 - (a) President
 - (b) Members of State Legislative Assembly
 - (c) Members of Parliament
 - (d) Speaker of Lok Sabha

23. Who has been made responsible for free and fair elections in the country?
- (a) Vice President (b) President
(c) Chief Election Commissioner (d) Chief Justice of India
24. Elections to Lok Sabha shall be held after every
- (a) Six years
(b) Five years
(c) Two Years
(d) As soon as Lok Sabha is dissolved
25. For election to Lok Sabha, nomination papers can be filed by
- (a) Any citizen whose name appears in the electoral roll
(b) Any citizen of India
(c) Citizen permitted by Election Commission
(d) Any person residing in India
26. The party system in India can be described as
- (a) Single-party (b) Bi-party
(c) Multi-party (d) A mixture of all these
27. Which one of the following is a feature of the party system in India?
- (a) There is a close resemblance in the policies and programmes of various political parties
(b) Political parties are largely based on language, religion, caste, etc.
(c) There are large number of regional parties in India
(d) All of the above
28. In India, the citizens have been given the right to vote on the basis of
- (a) education (b) age
(c) property qualifications (d) duration of stay in the country
29. Which categories of persons are not entitled to exercise vote through postal ballot?
- (a) Indian nationals settled abroad
(b) Civil servants on election duty
(c) Members of Armed Forces
(d) Members of Foreign Services posted abroad
30. Which body gives recognition to political parties?
- (a) Rajya Sabha (b) Election Board
(c) Election Commission (d) Lok Sabha

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31. Main consideration which prompted government to convert Election Commission into a multi-member body was
- (a) To check the unbridled powers of the Chief Election Commissioner
 - (b) To placate the opposition, which was greatly agitated with the then Chief Election Commissioner
 - (c) To provide relief to the Chief Election Commissioner
 - (d) All of the above
32. Who accords recognition to various political parties as national or regional parties?
- (a) President
 - (b) Election Commission
 - (c) Parliament
 - (d) President in consultation with the Election Commission
33. To be recognized as a national party, a party must secure at least
- (a) 4% of the valid votes in four or more States
 - (b) 10% of the valid votes in four or more States
 - (c) 15% of the valid votes in two States
 - (d) 25% of the valid votes in one State
34. To be recognized as a regional party, a party must secure at least
- (a) 4% of the valid votes in State
 - (b) 25% of the valid votes in any one State
 - (c) 15% of the valid votes in any one State
 - (d) 10% of the valid votes in any one State
35. Which one of the following statements about the Election Commission is correct?
- (a) The Members of the Election Commission have equal powers with the Chief Election Commissioner
 - (b) The Chief Election Commissioner has over-riding authority
 - (c) The Members of the Election Commission are appointed by the Chief Election Commissioner
 - (d) Only those who can be appointed as Judges of a High Court can be appointed as Members of Election Commission
36. Which of the following is not the function of the Election Commission?
- (a) Preparation of electoral rolls
 - (b) Selecting candidates for contesting elections
 - (c) According recognition to political parties
 - (d) Allotting symbols to political parties

37. This is not the function of the Election Commission.
- (a) Ascertain the suitability of candidates
 - (b) Counting votes
 - (c) Conduct of election
 - (d) Preparation of election rolls
38. Election disputes shall be decided by the
- (a) Supreme Court
 - (b) Parliament
 - (c) High Court
 - (d) Election Commission
39. In terms of Election laws in India, electioneering ceases in a constituency at least _____ hours before the commencement of the polling.
- (a) 48
 - (b) 36
 - (c) 24
 - (d) 12
40. The Election Commission does not conduct election to the
- (a) Parliament
 - (b) Office of President
 - (c) Office of Vice President
 - (d) Post of Prime Minister
41. The Election Commission has no power to conduct election to the
- (a) State Legislature
 - (b) Office of President
 - (c) Speaker of Lok Sabha
 - (d) Parliament
42. The Election Commission is responsible for the conduct of elections to
- (a) Parliament
 - (b) Offices of President and Vice President
 - (c) State Legislatures
 - (d) All of the above
43. The Election Commission of India enjoys
- (a) Statutory basis
 - (b) Constitutional basis
 - (c) Neither Constitutional nor Statutory basis
 - (d) Legal basis only because it has been created by the Parliament
44. The Election Commission generally consists of the Chief Election Commissioner and such other Commissioners as
- (a) determined by the President from time to time
 - (b) determined by the President from time to time
 - (c) prescribed by the Constitution
 - (d) recommended by the Chief Election Commissioner

45. Chief Election Commissioner can be removed from Office before the expiry of the term by the
- (a) President on the recommendation of the Parliament
 - (b) President on the recommendation of the Supreme Court
 - (c) President on the recommendation of Council of Ministers
 - (d) None of these
46. Chief Election Commissioner shall be removed by the
- (a) Supreme Court
 - (b) President
 - (c) Parliament
 - (d) Other Election Commissioners
47. Who of the following has voting rights?
- (a) Adult resident citizen of a State
 - (b) Adult literate citizen of a State
 - (c) Citizen of a State
 - (d) Any inhabitant of a State
48. Who is responsible for keeping the voters' list up-to-date at all times?
- (a) President
 - (b) Election Commission
 - (c) Union Home Minister
 - (d) All of these
49. The first general elections were held in India in (OR) When did first General Elections was held?
- (a) 1949-50
 - (b) 1950-51
 - (c) 1951-52
 - (d) None of these
50. Which of the following General Elections of India was spread over for 100 days?
- (a) First
 - (b) Fourth
 - (c) Seventh
 - (d) Eighth
51. Which of the following features of the Electoral System of India has been wrongly listed?
- (a) It is based on Universal Adult Franchise
 - (b) Political parties are an indispensable part of the electoral process
 - (c) It provides a single electoral body
 - (d) None of these
52. The term '*Fourth Estate*' refers to
- (a) Parliament
 - (b) Judiciary
 - (c) Press
 - (d) Backward class residing in the State

53. The chief merit of proportional representation is
- (a) representation to all parties in the legislature according to their strength
 - (b) elimination of minor parties and factions
 - (c) equal opportunity for rural and urban people
 - (d) equal opportunity for the poor and wealthy
54. In India, the system of proportional representation by means of single transferable vote is used in the election of the
- (a) Vice President
 - (b) President
 - (c) Speaker of Lok Sabha
 - (d) All of these
55. Regional Election Commissioners may be appointed by the
- (a) Election Commission
 - (b) Parliament
 - (c) President
 - (d) Governor
56. Regional Election Commissioners may be appointed by the President with the consultation of
- (a) Vice President
 - (b) Governor
 - (c) Prime Minister
 - (d) Election Commission
57. Other Election Commissioner or Regional Election Commissioners shall be removed on the recommendation of the
- (a) Prime Minister
 - (b) Governor
 - (c) President
 - (d) Chief Election Commissioner
58. Which of the following Lok Sabha was dissolved before the expiry of its nominal term and fresh elections held before the due date?
- (a) Third
 - (b) Fifth
 - (c) Fourth
 - (d) None of these
59. The Parliamentary elections of 1999, which have been described as the longest elections of India, were spread over _____ weeks.
- (a) ten
 - (b) eight
 - (c) six
 - (d) four
60. Which one of the following regional party emerged as the largest opposition party in the Lok Sabha elections held in December, 1984?
- (a) Telugu Desam Party
 - (b) DMK
 - (c) AIADMK
 - (d) None of these

5. Engineering Profession is considered to be like a building, its foundation is
 - (a) Hard and sincere work
 - (b) Honesty
 - (c) Expert engineering knowledge and skill
 - (d) Sound common sense and expert knowledge
6. One of the aims in studying Engineering Ethics is to
 - (a) gain better insight into the profession
 - (b) know the secretes of the profession
 - (c) develop analytical skill
 - (d) understand the professional problems
7. One of the aims of Engineering Ethics is to
 - (a) stimulate the moral imagination
 - (b) inspire engineers to acquire in-depth knowledge in their field
 - (c) acquire new skills in Engineering, Testing and Research
 - (d) make engineers self-confident in discharging their duties
8. This is not the aim of studying Engineering Ethics.
 - (a) Plagiarism
 - (b) Cooking
 - (c) Forging
 - (d) Crimping
9. This is not the aim of studying Engineering Ethics
 - (a) analyzing concepts
 - (b) addressing unclarity
 - (c) engaging sense of responsibility
 - (d) procuring faultless results
10. Engineers shall issue public statements only
 - (a) in objective manner
 - (b) based on the reports sent by higher officers
 - (c) on their personal responsibility
 - (d) in subjective manner
11. An engineer may not be held legally liable for causing harm, when the harm is caused
 - (a) Recklessly
 - (b) Ignorantly
 - (c) Negligently
 - (d) Internationally
12. One of the characteristic of Profession is
 - (a) It gives scope to exercise one's skill
 - (b) It gives monopoly on service
 - (c) It provides opportunity to help the poor and needy
 - (d) It demands high standard of honesty

13. One of the characteristics of profession is that
 - (a) it is based on honesty
 - (b) it demands hard work
 - (c) usually it is having monopoly
 - (d) it is having tough competition
14. One of the views on responsibility of engineers is
 - (a) they should do good works
 - (b) they are absolutely reliable
 - (c) they should take reasonable responsibility
 - (d) they are strictly liable
15. One of the impediments to responsibility is
 - (a) interference by politicians
 - (b) rampant corruption at higher level
 - (c) interference by higher officers
 - (d) self-deception
16. This is not impediment to responsibility
 - (a) Fear
 - (b) Ignorance
 - (c) Self-deception
 - (d) Self-respect
17. Conflict of interest exists for an engineer when he is subject to
 - (a) Professional harassments
 - (b) Professional impediments
 - (c) Loyalties
 - (d) Threat
18. 'Professional Autonomy' means
 - (a) exercising independent and objective judgments
 - (b) liberty to express independent view
 - (c) liberty in selecting the work
 - (d) independent body controlling profession
19. It does not amount to misusing the truth
 - (a) Failure to seek-out the truth
 - (b) Biased professional information
 - (c) Withholding information
 - (d) Deliberation deception
20. One of the ways of misusing the truth is
 - (a) failure to seek out the truth
 - (b) exaggerating the truth
 - (c) making the confused statement
 - (d) making totally false statement
21. 'Good works' means
 - (a) responsible work
 - (b) work above and beyond the call of duty
 - (c) work involving high risk
 - (d) superior work done with great care and skill

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22. 'Cooking' means
- (a) boiling under pressure
 - (b) making deceptive statements
 - (c) retaining results which fit the theory
 - (d) misleading the public about the quality of the product
23. 'Cooking' is
- (a) retaining the results to satisfy the theory discarding the rest
 - (b) using the actual data
 - (c) using falsified data
 - (d) both (a) and (b)
24. 'Forging' means
- (a) mixing material under high pressure
 - (b) inventing research data which are reported
 - (c) signing in the name of some other person
 - (d) strengthening material by special process
25. An example for 'Forging' is
- (a) mentioning of experiments to obtain data which were never conducted
 - (b) obtaining data by conducting an experiment
 - (c) referring to all research data
 - (d) both (a) and (c)
26. 'Egocentric tendencies' means
- (a) superiority complex
 - (b) interpreting situation from limited view
 - (c) arrogant and irresponsible behavior
 - (d) habit of condemning the views of others
27. 'Group Thinking'
- (a) leads to confusion and may cause loss
 - (b) is an impediment to responsibility
 - (c) is an impediment in the progress of work
 - (d) is useful to understand the different facts of the problem
28. 'Tight Couple' means
- (a) binding two beams tightly
 - (b) erecting two pillars side by side
 - (c) process tightly coupled
 - (d) strong adhesive material

29. One process or function of one component that affect the other and spread the adverse effect to the entire system is observed in
- (a) Complexly interactive (b) Loosely coupled
(c) Tight coupled (d) None of these
30. In ____ systems, risk estimation is difficult.
- (a) Complexly interactive (b) Tight coupled
(c) Loosely coupled (d) Both (b) and (c)
31. A compound measure of the probability and magnitude of the adverse effect is known as
- (a) Risk (b) Benefit
(c) Compensation (d) Both (b) and (c)
32. 'Lying' is
- (a) intentionally conveying false or misleading information
(b) deception
(c) falsehood
(d) both (b) and (c)
33. 'Trimming' is
- (a) smoothing of irregularities to make the data to appear accurate and precise
(b) retaining the entire data
(c) consolidating the data
(d) both (a) and (c)
34. The principal obligation of engineers is to safeguard the public by
- (a) deliberate deception
(b) finding out the truth
(c) withholding the information
(d) spreading the information before the disaster takes place
35. One of the characteristics of high-risk technologies susceptible to accident is Complex
- (a) Interactions (b) Working system
(c) Combinations (d) Designs
36. One of the ways of reducing risk is
- (a) Complex interaction (b) Tight coupling
(c) Normalization of deviance (d) Changing the working system
37. 'Minimalist View' means
- (a) A concept of responsibility (b) A narrow thinking
(c) A ministerial view
(d) A novel plan to minimize industrial loss

38. The basic attitude towards responsibility is
- (a) Intentionally causing harm
 - (b) Recklessly causing harm
 - (c) Negligently causing harm
 - (d) Minimalist
39. They are not trade secrets.
- (a) Devices
 - (b) Patterns
 - (c) Formulas
 - (d) Principles
40. Which of the following is not a trade secret?
- (a) Formulae
 - (b) Equipment
 - (c) Theorem
 - (d) Pattern
41. The formulae of a soft drink is an example of
- (a) Patent
 - (b) Trade secret
 - (c) Copyright
 - (d) Trade mark
42. Copyright protects the expression of ideas but not the
- (a) ideas themselves
 - (b) deriving ideas
 - (c) predicting ideas
 - (d) both (b) and (c)
43. A company cannot have claim if the knowledge used is
- (a) generic information
 - (b) stolen from the company
 - (c) used to create the same product
 - (d) both (b) and (c)
44. Which of the following is not conflict of interest as applied to making judgment?
- (a) Actual
 - (b) Apparent
 - (c) Potential
 - (d) Virtual
45. A fault tree is used to
- (a) take free consent
 - (b) to claim compensation
 - (c) assess the risk involved
 - (d) to improve safety
46. Risk estimation can be done by using
- (a) Event tree
 - (b) Trimming
 - (c) Cooking
 - (d) Both (b) and (c)
47. The use of intellectual property of others without their permission or credit is referred as
- (a) Trimming
 - (b) Plagiarism
 - (c) Cooking
 - (d) Forging
48. Which of the following is not preserved as an intellectual property?
- (a) Patents
 - (b) Copyrights
 - (c) Government regulations
 - (d) Trade secrets

49. 'Acceptable Risk' means
- (a) Risk of harm equal to probability of producing benefit
 - (b) Risk which is the natural part of the process
 - (c) Inevitable risk
 - (d) Risk which cannot be avoided
50. Allowing increased number of deviances from prescribed standards of safety and acceptable risk is referred to as
- (a) Estimation of risk
 - (b) Identification of risk
 - (c) Normalizing deviance
 - (d) None of these
51. Lay public estimation of likelihood of low probability risks associated with causes of loss of lives is generally
- (a) Under estimation
 - (b) Over estimation
 - (c) Actual estimation
 - (d) None of these
52. In which of the following the competent technical knowledge of engineers is not required for certification in cases involving?
- (a) Patent violation
 - (b) Defective goods
 - (c) Accidents
 - (d) Legal matters
53. An Expert Testimony does not demand
- (a) adequate time for thorough investigation
 - (b) consulting extensively with the lawyer
 - (c) expert legal knowledge
 - (d) objective and unbiased demeanor
54. In issuing testimony, which of the following is not desired by an expert?
- (a) not to maintain an objective and be biased
 - (b) be open to information, even during the course of the trial
 - (c) not to accept, if he cannot do so with good conscience
 - (d) not to accept, if there is no adequate time
55. Which of the following is not the concept of responsibility?
- (a) Minimalist
 - (b) Utilitarian
 - (c) Reasonable care
 - (d) Good works
56. For an ethical Engineer, responsibility is
- (a) Legal responsibility
 - (b) Moral responsibility
 - (c) Both Legal and Moral responsibilities
 - (d) None of these

57. One's wish of being an ethical engineer is derived from
- (a) his wish of being an ethical person
 - (b) his family members wish of him being an ethical person
 - (c) his employers wish of him being an ethical person
 - (d) All of the above
58. What is morally wrong?
- (a) cannot be measured as constitutionally right
 - (b) can be measured as constitutionally right
 - (c) can be legally right
 - (d) both (b) and (c)
59. A Professional Engineer take the help of Code of Ethics specifically when he enters into
- (a) Doubts
 - (b) Ethical crisis
 - (c) Confusion
 - (d) Legal complications
60. The risk expert's approach is usually
- (a) Favorable to employer
 - (b) Biased
 - (c) Utilitarian
 - (d) None of these
61. Risk as a maximizing benefit is understood by
- (a) Breakeven analysis
 - (b) Straight line analysis
 - (c) Cost / benefit analysis
 - (d) Risk / benefit analysis
62. Conflicts of interest exists when an improper judgment is made by the professional may not be due to
- (a) loyalties
 - (b) temptations
 - (c) protecting the public health
 - (d) influences
63. It is not a kind of trade mark
- (a) Designs
 - (b) Symbols
 - (c) Sounds
 - (d) Goodwill
64. Conflict of interest may be
- (a) false
 - (b) potential
 - (c) created
 - (d) imaginary
65. Revealing confidential information amounts to
- (a) misusing the truth
 - (b) breach of contract
 - (c) criminal breach of trust
 - (d) violation of patent right

66. The professional ethics deals with _____ accepted by the professional group / community.
- (a) Moral standards (b) Scientific standards
(c) Ethical standards (d) None of these
67. The obligations and prerogatives associated with a specific role is referred to as
- (a) ethics (b) duty
(c) responsibility (d) role morality
68. The codes of ethics can be taken as guidelines by the engineers to
- (a) resolve the conflicts (b) formulate the problem
(c) overcome the work pressure (d) escape from the responsibility
69. No code will give ____ to get solutions for ethical problems.
- (a) set of ideas (b) guidelines
(c) an algorithm (d) ethical standards
70. Which of the following is not taken as the aim of engineering ethics?
- (a) shifting of responsibility (b) recognition of ethical issues
(c) moral imagination (d) sense of responsibility
71. Responsibility is assigned as belonging to persons in
- (a) obligation (b) rule
(c) morality (d) both (b) and (c)
72. Recklessly causing harm is
- (a) not with an intention to cause harm but acting in the conscious awareness that harm is likely to take place
(b) unknowingly causing harm but failing to take due care
(c) purposely causing harm
(d) both (b) and (c)
73. As applied to responsibility, avoiding blame or being safe is the prime concern in
- (a) Minimalist approach (b) Considerable care
(c) Both (a) and (b) (d) Good works view
74. Which of the following does not depict the attitude towards responsibility?
- (a) Good works (b) Protest
(c) Reasonable care (d) Minimalist
75. In reasonable care concept of responsibility, the attention paid is to
- (a) to client (b) the employee
(c) those who are at risk of being harmed (d) self

76. Engineers tempted by their own interest to act in contrary to the interest of others is
- (a) Fear
 - (b) Self deception
 - (c) Ignorance
 - (d) Self interest
77. The thinking of betraying a willful lack of self understanding is called
- (a) Egoism
 - (b) Self interest
 - (c) Ignorance
 - (d) Self deception
78. Ignorance as a hurdle to responsibility is not due to
- (a) Overconfidence
 - (b) Fear
 - (c) Lack of imagination
 - (d) Pressure and deadlines
79. The tendency of interpreting situations according their views and imposing views is
- (a) Egocentric
 - (b) Self interest
 - (c) Confined vision
 - (d) Both (b) and (c)
80. Engineering CoE emphasize that the engineers should have ____ in discharging their duties.
- (a) Autonomy
 - (b) Fidelity to employers
 - (c) Obligation to public
 - (d) Both (b) and (c)
81. ____ is not the symptom of group thinking.
- (a) Self censorship
 - (b) Mind guarding
 - (c) Illusion of unanimity
 - (d) Egocentric tendency
82. Tendency of shifting responsibility will logically come down if there is
- (a) Group thinking
 - (b) Microscopic vision
 - (c) Fear
 - (d) Both (b) and (c)
83. Which of the following is not advised by NSPE code to engineers?
- (a) to be honest
 - (b) not to use firm's name in dishonest business
 - (c) to have professional obligations
 - (d) not to avoid deceptive acts
84. Which of the following qualities an ethically responsible engineer should not have with regard to risk?
- (a) not be deceiving
 - (b) be aware of different approaches to the determination and risk
 - (c) dishonest in assessing
 - (d) aware of difficulty

85. The owner of 'Patent Right' retains his patent right for _____ years (OR) Patent holder does not allow others to use patented information for ____ years from date of filing.
- (a) 50 (b) 20 (c) 75 (d) 100
86. Engineering Ethics is studied because, engineers
- (a) All of these
(b) Affect public health and safety, influence business practices and even politics
(c) Realize how their technical work has for reaching impacts on society
(d) Gain an increased sense of professional responsibilities
87. Nature of Ethics not much associated with _____ of Ethics.
- (a) Science (b) Concept
(c) Study (d) Philosophy
88. Engineers carryout their roles as
- (a) An experimenters
(b) With Honesty, Integrity and Reliability
(c) As practitioners of Preventive Ethics
(d) All of the above
89. Ethics deals with
- (a) Moral Judgments (b) Moral Obligations
(c) Moral Standards (d) All of these
90. Ethics is
- (a) A matter of Ethos (b) A practice, a way of life
(c) Participation in a community (d) All of these
91. Reliability of engineers is a combination of
- (a) Confidence, Trustworthiness and Dependability
(b) Efficiency, Obedience and Loyalty
(c) Obedience, Discipline and Loyalty
(d) None of these
92. Reliability is built through Engineer's
- (a) Goodness (b) Track record
(c) Communication skills (d) Obedient conduct
93. Today, the need for ethical responsibilities of Engineers arises because of
- (a) Attitudes (b) Management
(c) Technology (d) Philosophy

94. Morality is
- (a) A way of life
 - (b) Not accidental
 - (c) Not a substitute for life
 - (d) All of these
95. 'Law of Tort' gives protection to
- (a) Corporate Body
 - (b) Managers
 - (c) Victims
 - (d) Engineers
96. Standards of Science give protection to
- (a) Public
 - (b) Victims
 - (c) Managers
 - (d) Engineers
97. Responsibility means
- (a) Conscientious
 - (b) Accountable
 - (c) Obligation
 - (d) All of these
98. Impediments (Obstacles) to engineer's responsibility are
- (a) Self Interest, Fear, Self Deception and Ignorance
 - (b) Greed, Jealousy, Suspicion and Social Custom
 - (c) Government, Law, Morality and Society
 - (d) None of these
99. 'Trimming' in engineering means
- (a) Removing unwanted information
 - (b) Make the data look extremely accurate
 - (c) Adding extra data
 - (d) None of these
100. 'Cooking' in engineering research and testing is to
- (a) Select only favorable data
 - (b) Present a good theory
 - (c) Build-up false data
 - (d) Provide correct data
101. 'Forging' in Engineering Ethics refers to
- (a) Signing for others
 - (b) Falsification and fabrication of data
 - (c) Make progress in a project
 - (d) All of the above
102. 'Plagiarism' in Engineering Ethics means
- (a) Telling lies
 - (b) Using one's own ideas
 - (c) Advocating a theory
 - (d) Illegitimate use of others ideas

103. 'Integrity' of engineers stands for
- | | |
|--------------------------|---------------------|
| (a) Moral awareness | (b) Public spirited |
| (c) Upright and truthful | (d) Efficiency |
104. 'Whistle Blowing' means
- | | |
|-------------------------------------|---------------------------------|
| (a) Expose a foul, or a wrong-doing | (b) Announcing important policy |
| (c) Closure of the work | (d) All of these |
105. Whistle Blowing can be very bad from a corporation's point of view because it can lead to
- | |
|---|
| (a) Disharmony |
| (b) Distrust |
| (c) Inability of employees to work together |
| (d) All of the above |
106. Professionals focus their ____ on fulfilling their responsibilities and achieving results, not on ____ a particular image.
- | | |
|---------------------------|------------------------------|
| (a) energies – portraying | (b) abilities – contributing |
| (c) planning – devising | (d) leadership – attributing |
107. Engineering Ethics is a
- | | |
|--------------------------|------------------|
| (a) Branch of Management | (b) Philosophy |
| (c) Separate discipline | (d) All of these |
108. Entering into a profession requires
- | |
|--|
| (a) Extensive training in professional ethics |
| (b) Extensive training in intellectual character |
| (c) Sound common sense |
| (d) Sound moral character |
109. Lawrence Kohlberg's concept of Moral Autonomy deals with ____ Level.
- | | |
|-----------------------|----------------------|
| (a) Post-Conventional | (b) Pre-Conventional |
| (c) Conventional | (d) All of these |
110. ____ said, "Part of responsible Engineering practice is the exercise of Preventive Ethics".
- | | |
|--------------------------|------------------------|
| (a) Harris and Pritchard | (b) Martin and Collins |
| (c) Davis and Starr | (d) None of these |
111. ____ said, "If we consider the Engineering profession to be like a building, Honesty is its foundation".
- | | |
|--------------------------|--------------------|
| (a) Harris and Pritchard | (b) Carol Gilligan |
| (c) Davis and Starr | (d) Kohlberg |

-
112. Engineering Ethics is Preventive Ethics because it is _____ Ethics.
- (a) Personal (b) Professional
(c) Common (d) Public
113. Preventive Ethics is significant for engineers because engineers must
- (a) Obey orders (b) Protect themselves
(c) Make decisions (d) Plan for profits
114. Global Engineering Ethics is a _____ dimension of engineering.
- (a) State (b) Micro
(c) National (d) Macro
115. Safety must be considered by engineers in their
- (a) Design and Production (b) Minds
(c) Risk Assessments (d) Customer Relationship
116. Which is not the one of the four liability theories given below?
- (a) Limited Liability (b) Quality Liability
(c) Strict Liability (d) Product Liability

ANSWERS**I:**

1 - a	2 - d	3 - b	4 - c	5 - a	6 - a	7 - c	8 - d	9 - b	10 - a
11 - c	12 - d	13 - b	14 - a	15 - c	16 - d	17 - a	18 - b	19 - d	20 - c
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II:

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IV:

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V:

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VI:

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VII:

1 - d	2 - b	3 - a	4 - d	5 - a	6 - c	7 - b	8 - a	9 - c	10 - b
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VIII:

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IX:

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101 - b	102 - d	103 - c	104 - a	105 - b	106 - a	107 - c	108 - a	109 - d	110 - a
111 - a	112 - d	113 - c	114 - d	115 - a	116 - b				

The Constitution:: Contents::

The Constitution consists of the following:

1. The Preamble
2. Parts I to XXII covering Articles 1 to 395
3. Schedules 1 to 12
4. An Appendix. Part IX-The Panchayats and the Schedule XI (Article 243-G) have been incorporated under 73rd Constitution Amendment Act, 1992.

The Preamble

“We, the people of India, having solemnly resolved to constitute India into a Sovereign Socialist Secular Democratic Republic and to secure to all its citizens: * JUSTICE, social, economic and political; * LIBERTY of thought, expression, belief, faith and worship; * EQUALITY of status and of opportunity; and to promote among them all * FRATERNITY assuring the dignity of the individual and the unity and integrity of the Nation;

... in our Constituent Assembly this twenty sixth day of November, 1949, do hereby adopt, enact and give to ourselves this Constitution”.

The words ‘Socialist, Secular’ and ‘the Unity and the Integrity of the Nation’, were added by the Constitution (42nd Amendment) Act, 1976.

PART I: THE UNION AND ITS TERRITORY

1. Name and Territory of the Union.
 - (a) India, that is Bharat, shall be a Union of States (Article 1).
 - (b) The States and Territories thereof shall be specified in the First Schedule (Article 2).
 - (c) The territories of India shall comprise-
 - (c.i) The territories of the States;
 - (c.ii) The Union Territories; and
 - (c.iii) Such other territories as may be acquired.
2. Admission or establishment of new States.
3. Formation of new States and alteration of areas, boundaries or names of existing States.

Distribution of Powers: The Union has exclusive power to make laws on all matters in the List I of the Seventh Schedule (Union List). The States have exclusive power to make laws on all matters in the List II (State List). The Union and States have concurrent powers to legislate on any matter enumerated in List III (Concurrent List) (Article 246).

Residuary Powers: The Union has exclusive power to make laws on any matter not enumerated in the Concurrent List or State List (Article 248).

Overriding Powers: In case of any conflict between Union and State laws, The Union laws shall prevail (Article 254).

PART II: CITIZENSHIP

Indian Constitution, though federal in character, provides only Single Citizenship to the people of India. Citizenship rights, according to the Citizenship Act, 1955, are acquired:

- (a) By birth, i.e. born on or after 26th January, 1950.
- (b) By descent, i.e. either of whose parents was born in India, even if the person is born outside India on or after 26th January, 1950.
- (c) By registration, i.e. who has been residing in India for 5 years (as required by the Citizenship Act, 1986) can acquire it by registering before the prescribed authority.
- (d) By naturalization, i.e. a foreigner can apply to the Government of India for naturalization.
- (e) By incorporation of territory, i.e. when new territories become part of the country, the Government of India shall specify the citizenship of people living there.

Citizenship could be lost on the grounds of

- (a) Surrender – voluntarily surrendering it when the person possesses dual citizenship.
- (b) Termination – when one acquire foreign citizenship.
- (c) Deprivation – when acquired by fraud.

PART III: FUNDAMENTAL RIGHTS

These are granted to the citizens under Articles 12 to 35 of the Constitution. They are:

1. Right to Equality – before law; on the ground of religion, race, caste, sex, place of birth; employment; abolition of untouchability and titles.
2. Right to Freedom – of speech and expression; assemble peaceably and without arms; to form associations or unions; to move freely throughout the territory of India; to practice any profession or to carry any occupation, trade or business; of protection in respect of conviction for offences; of protection of life and personal liberty; of protection against arrest and detention in certain cases.

Article 32(1) – The right to move Supreme Court by appropriate proceedings for enforcement of the rights conferred by this Part is guaranteed.

3. Right against Exploitation – prohibition of traffic in human beings and forced labour; prohibition of employment of children in factories, etc.
4. Right to Freedom of Religion – conscience and free profession, practice and propagation of religion. Right to - manage religious affairs; payment of taxes for promotion of any particular religion; attendance at religious instructions or religious worship in certain educational institutions.
5. Cultural and Educational Rights – protection of interest of minorities; to establish and administer educational institutions.
6. Right to Constitutional Remedies –
 - (a) All citizens are guaranteed the right to move the Supreme Court or the High Courts by appropriate proceedings for enforcement of Fundamental Rights.
 - (b) The Supreme Court can issue directions / orders / writs such as Habeas Corpus, Mandamus, Prohibition, Quo Warranto and Certiorari, for the enforcement of any rights conferred by the Part.
 - (c) The right guaranteed by this Article cannot be suspended except as otherwise provided for by the Constitution. (The 16th and 24th Amendments have considerably limited the exercise of Fundamental Rights).

Habeas Corpus is an order calling on a person who has detained another to produce the latter before the Court in order to let the Court know on what ground he has been confined and to set him free if there is no legal justification for the imprisonment.

Mandamus commands a person to whom it is addressed to perform some public or quasi-public legal duty which he has refused to perform and the performance of which cannot be enforced by any other adequate legal remedy.

Quo Warranto is a proceeding whereby the Court enquires into the legality of the claim which a party asserts to a public office, and to oust him from its enjoyment if the claim be not well founded.

Prohibition issues so long as proceedings are pending before a court or tribunal. If the court or tribunal has passed final orders in the matter, no prohibition will lie. Where an election tribunal had given its finding and finally decided the election petition it was held that prohibition would not lie.

Certiorari is an order issued against a Court or Tribunal to quash their decision-intended to secure the jurisdiction of an inferior court / tribunal.

PART IV: THE DIRECTIVE PRINCIPLES OF STATE POLICY

Articles 36 to 51 of the Constitution lay down 19 Objectives. Directive Principles of State Policy enjoin the State to undertake within its means, a number of welfare measures. These are intended to assure citizens an adequate means of livelihood, raise the standard of living, improve public health, provide free and compulsory education for children, and assure that the operation of the economic system does not result in the concentration of wealth and means of production to the detriment of the common good. These are not enforceable by

law like Fundamental Rights. Nevertheless, they are declared fundamental to the governance of the country.

Fundamental Duties: The 42nd Amendment Act (1976) has incorporated into the Constitution a new Chapter on Fundamental Duties under Part IV-A and the Article 51-A. The Duties for an Indian Citizen enshrined, include:

- (a) To abide by the Constitution and respect its ideals and institutions, the National Flag and the National Anthem;
- (b) To cherish and follow the noble ideals which inspired our freedom struggle;
- (c) To uphold the sovereignty, unity and integrity of India;
- (d) To render national service when called for;
- (e) To promote harmony and spirit of common brotherhood amongst all Indians; and renounce practices derogatory to the dignity of women;
- (f) To preserve the rich heritage of our composite culture;
- (g) To protect and improve the natural environment including forests, lakes, and wild life and to have compassion for living creatures;
- (h) To develop scientific temper, humanism and the spirit of enquiry and reform;
- (i) To safeguard the public property and to abjure violence; and
- (j) 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.

PART V: THE UNION

Chapter I: The Executive

The Union Executive consists of the President, the Vice President and the Council of Ministers with the Prime Minister at the Head to aid and advise the President.

The President

The President is elected by members of an Electoral College consisting of elected members of both the Houses of Parliament and Legislative Assemblies of the States in accordance with the system of proportional representation by means of single transferable vote. To secure uniformity among the States inter se as well as parity between the States, as a whole, and the Union, suitable weightage is given to each vote. President must be a citizen of India, not less than 35 years of age and qualified for election of member of Lok Sabha. His / Her term of office is five years and he / she is eligible for reelection. His / Her removal from the office is to be in accordance with procedure prescribed in Article 61 of the Constitution. He / She may, by writing under his hand addressed to the Vice President, resign his office.

Executive power of the Union is vested in the President and is exercised by him / her either directly or through officers subordinates to him / her in accordance with the Constitution. Supreme command of defence forces of the Union also vests in him. The President summons, prorogues, addresses, sends messages to Parliament and dissolves the Lok Sabha; promulgates ordinances at any time, except when both Houses of Parliament are in session; makes recommendations for introducing financial and money bills and gives

assent to bills; grants pardons, reprieves, respites or remission of punishment or suspends, remits or commutes sentences in certain cases. When there is a failure of constitutional machinery in a State, he / she can assume to himself all or any of the functions of the State Government. The President can proclaim emergency in the country if he / she is satisfied that a grave emergency exists whereby the security of India or any parts of its territory is threatened whether by war or external aggression or armed rebellion.

The Vice President

The Vice President shall be elected by the members of an Electoral College consisting of the members of both the Houses of Parliament (Article 66-1). The Vice President may hold the office for five years (Article 67), and shall be the ex-officio Chairman of the Council of States (Article 64).

The Council of Ministers

There shall be a Council of Ministers with the Prime Minister at the Head to aid and advice the President in the exercise of his functions (Article 74-1). The Prime minister shall be appointed by the President, and the other Ministers shall be appointed by the President, on the advice of the Prime Minister (Article 75-1). The Ministers shall hold office during the pleasure of the President (Article 75-2).

The Council of Ministers (as at present constituted) consists of the Prime Minister and (1) Ministers who are members of the Cabinet (2) Ministers of State (Union Ministers) who are not members of the Cabinet and (3) Deputy Ministers.

A Secretary to Government is the Administrative Head of a Ministry and the Principal Advisor of the Minister. When the volume of work in a Ministry exceeds the manageable charge of the Secretary, one or more wings may be established under a Joint Secretary. A Ministry is divided into divisions, branches and sections functioning under Deputy Secretaries, Under Secretaries and Section Officers respectively.

Chapter II: Parliament

Legislature of the Union, called Parliament, consists of the President and two Houses – the Council of States (Rajya Sabha) and the House of People (Lok Sabha) as in Article 79.

The Parliament House was designed by Sir Edwin Lutyens and Sir Herbert Baker. It was built at a cost of Rs.83.00 lakhs and inaugurated by Lord Irwin on 18th January, 1927. Parliament is a circular building with the Central Hall at the center. The three chambers for Lok Sabha, Rajya Sabha and the Library Hall radiate from the center. These chambers and the garden courts between them are in turn surrounded by a circular four-storeyed structure with rooms for Ministers, Parliamentary Committees, Party offices, Press, etc. The Central Hall has witnessed historic moments. It is here that the Indian Constitution was framed between 9th December, 1946 and 24th January, 1950, when it served as the Constituent Assembly Hall. It was here again the power of reign was transferred on 15th August, 1947. Presidential address at the first Lok Sabha session after election, first session of the Budget session, joint sitting of both Houses and address by visiting Heads of States are held here.

The Lok Sabha Chamber is U-shaped with a seating capacity of 550 Members of Parliament. The Ruling party sits on the Speaker's right and the Opposition on his left side. Just below the Speaker's chair is the table of the Secretary General of the Lok Sabha. In front of him is a large table where the official reporters (work in five minute relay takes down verbatim the entire proceedings of the House) and other officials sit. This is the 'Table of the House' where documents, etc. are placed. The adjacent vacant place surrounding it is the 'Well' of the House. On the first floor are special galleries for the press, public, guests of the Speaker, Rajya Sabha members, diplomatic and distinguished visitors. A special place is reserved for the family and the guests of the President, Governors, visiting Heads of State and other visiting dignitaries, on the left side of the Speaker.

Rajya Sabha: The Council of States (Rajya Sabha) shall consist of not more than 238 elected representatives of States and Union Territories and 12 members to be nominated by the President (Article 80). The Council of States shall not be subject to dissolution but as nearly as possible one-third of its members shall retire, as soon as may be, after the expiry of 2 years. Elections to Rajya Sabha are indirect. Although the Constitution provides for 250 members, it has now only 245 seats and of these, 233 are represented by the States and Union Territories.

Lok Sabha: The House of the People (Lok Sabha) shall consist of 552 members chosen by direct election from territorial constituencies. In this, 530 members from States, 20 from Union Territories and 2 are Presidential nominees from Anglo-Indian community (Article 81). It shall continue for 5 years (unless sooner dissolved) from the date of its meeting and no longer and the expiry of the said period of 5 years shall operate as dissolution of the House (Article 83). This mandatory provision of dissolution may be extended for a year due to emergency.

Parliament Committees: Broadly, they are of two types – Standing Committees (elected/ appointed and their work goes on continuously) and Ad hoc Committees (appointed as the need arises and ceases to exist when the work is over). Among the Standing Committees, three are financial committees: (1) Public Accounts Committee (2) Estimate Committee and (3) Public Undertakings Committee. Ad hoc Committees are classified into two: (a) constituted by either two Houses on a motion adopted in that behalf or by Speaker / Chairman for an enquiry / report (for example, Committees on conduct of certain members during President's address, Committees on Draft 5-year Plan, etc.) and (b) Select / Joint Committees on Bills (concerned with Bills and Procedures to be followed).

In a Parliamentary system like that of India, the Executive is subordinate to the Legislature. The Judiciary alone functions as an independent branch. (But in a Presidential system of government like that of the United States of America, the three branches of government—Legislature, Executive and Judiciary—are independent units).

Emergency Provisions: Part XVIII of the Constitution stipulates 3 kinds of Emergencies – National, State and Financial – which assign President of India more functions and powers. The Provisions of this Part mainly deals with extreme crisis (with respect to external attack, breakdown of constitutional machinery or financial instability) covering the country as a whole or any of its parts. Articles 352 to 360 discuss its Provisions.

Chapter III: Supreme Court of India

There shall be a Supreme Court of India, consisting of a Chief Justice of India and other Judges (Article 124-1). The authorized strength of the Supreme Court Judges, including Chief Justice is 26. The Parliament has the power to increase the number of Judges.

A Judge of the Supreme Court is to be appointed by the President after consultation with the Chief Justice of the Supreme Court and shall hold office until the age of 65 years and can be removed from the office by the President, only after an address by each House of Parliament supported by more than two-thirds majority of members present and voting.

The Supreme Court has both Original and Appellate Jurisdictions. The Original Jurisdiction is limited to questions between the Government of India and the States, or between the States and to such other questions which involve "the existence or the extent of a legal right" (Article 131). The Appellate Jurisdiction extends overall the High Courts in India (Article 132).

High Courts: The Government of India have adopted a policy of having Chief Justice of High Courts from the outside the States over which the Courts have jurisdiction.

The Attorney General: The President shall appoint a person who is qualified to be appointed as a Judge of the Supreme Court, to advise the Government of India on legal matters (Article 76). He has the right to speak and take part in the proceedings of either House and to be a member of any Parliamentary Committee but he is not entitled to vote (Article 88).

The Comptroller and Auditor General: There shall be a Comptroller and Auditor General of India who shall be appointed by the President. He shall be only removed from the office in like manner and on the like grounds as a Judge of the Supreme Court (Article 148-1). He exercises a general control over the accounts of the Union and State Governments (Article 149). He is not eligible for further office either of the Union or State Governments, once he has retired (Article 148-4).

Election Commission: It is to supervise and control all matters relating to elections to the Parliament and State Assemblies and to the Office of the President and Vice President (Article 324). It may consist of the Chief Election Commissioner and such other Election Commissioners as the President may appoint from time to time. When any other Election Commissioner is appointed, the Chief Election Commissioner shall function as the Chairman of Election Commission. The Chief Election Commissioner cannot be removed from office except in the same manner and on the same grounds as a Judge of Supreme Court (Article 324).

PART VI: THE STATES

The Governor of a State is the Executive Head of the State Government (Articles 155 & 156). He is assisted by a Council of Ministers, with the Chief Minister as the Head (Article 163). The Chief Minister is to be appointed by the Governor and other Ministers are to be appointed on the advice of the Chief Minister.

The Legislature of a State shall consist of the Governor and one or two Houses of Legislature, as the case may be (Article 168). The Legislative Assembly of a State or Vidhana

Sabha may consist of not more than 500 and not less than 60 members (Article 170). (Bihar, Jammu & Kashmir - 36 members, Karnataka, Maharashtra and Uttar Pradesh, have two Houses: the Legislative Council or Vidhana Parishad and Assembly). The total number of members in the Legislative Council, if any, shall not exceed one-third of the total number of members in the Legislative Assembly (Article 171) and in no case less than 40 members.

There shall be a High Court for each State, consisting of a Chief Justice and such other Judges as the President may appoint (Articles 214 & 216). A Judge of the High Court can be removed from the office by the President, in the same manner as he may be remove a Judge of the Supreme Court (Article 217). The High Courts have Original Jurisdiction in such matters as writs and Appellate Jurisdiction over all subordinate courts in their jurisdiction. Every State shall have an Advocate General to advise the Government on legal matters (Article 165).

PART VII: THE UNION TERRITORIES

It ordinarily has no Council of Ministers or Legislatures of their own. The Parliament may by law create for any of the Union Territories a body, whether elected or partly nominated to function as a Legislature for the Union Territories or a Council of Ministers or both (Article 239A).

PART VIII: PANCHAYAT RAJ

Panchayat Raj institutions have been in existence in almost all States and Union Territories with variations in structural pattern, tenure and responsibilities entrusted to them.

Article 40 of the Constitution, as mentioned in the Directive Principles of State Policy, lays down that the State shall take steps to organize village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government. With a view to grant constitutional status to Panchayat Raj institutions, the Parliament passed the 73rd Constitutional Amendment Act in December 1992. It came into force on 24th April, 1993. It provides for a three-tier system (Grama / Village Panchayat, Panchayat Samithi and Zilla Parishad) for all States / Union Territories, except those having a population of less than 20 lakhs. Article 243 deals with its definitions and various provisions.

The Panchayats have been empowered by the 11th Schedule (Article 243G) to prepare plans and schemes in respect of 29 subjects for their economic development while ensuring social justice and implementation of various programmes:

(1) Agriculture, including Agriculture extension (2) Land Improvement, Implementation of Land Reforms, Land Consolidation and Soil Conservation (3) Minor Irrigation, Water Management & Watershed Development (4) Animal Husbandry, Dairying & Poultry (5) Fisheries (6) Social and Farm Forestry (7) Minor Forest Produce (8) Small Scale Industries including Food Processing (9) Khadi, Village & Cottage Industries (10) Rural Housing (11) Drinking Water (12) Fuel and Fodder (13) Roads, Culverts, Bridges, Ferries, Waterways and other means of communication (14) Rural Electrification and Non-Conventional Energy

Sources (15) Poverty Alleviation Programme (16) Education, Adult & Non-formal Education, Technical Training and Vocational Training (17) Libraries and Cultural activities (18) Markets and Fairs (19) Health and Sanitation including Hospitals (20) Family Planning, Women and Child Welfare (21) Social Welfare including Handicapped (22) Welfare of Weaker Sections (23) Public Distribution System (24) Maintenance of Community Assets.

The Government of India passed a Law – “The Provisions of Panchayats (Extension to the scheduled Areas) Act, 1996” to provide for the extension of provisions of Part IX of the Constitution relating to the Panchayats to the Schedule V Areas (such as Andhra Pradesh, Bihar, Gujarat, Himachal Pradesh, Maharashtra, Madhya Pradesh, Orissa and Rajasthan).

Article 368 deals with Amendment of the Constitution. A Bill for Amendment must be passed in each House by a majority of the total membership of that House and by a majority of not less than two-thirds of the members present and voting. Amendments to certain parts of the Constitution, however, require ratification of the legislatures of not less than one-half of the States by resolutions to that effect.

There are 12 Schedules to the Constitution. The 9th Schedule was added by the 1st Amendment to the Constitution in 1951 and the 11th and 12th by the 73rd and 74th Amendments in 1992. With respect to Article 40, a new Part IX relating to the Panchayats has been inserted in the Constitution to provide for among other things, Grama Sabha in a village or group of villages; constitution of Panchayats at village and other levels; direct elections to all seats in Panchayat at the village and intermediate levels, if any and to the offices of the Chairpersons of the Panchayats at such levels; reservation of seats for Scheduled Caste & Scheduled Tribe on proportion of their population for membership of Panchayat and office of the Chairpersons in Panchayat at each levels; reservation of one-third seats for women; fixing tenure of 5 years for Panchayats and holding election within a period of 6 months in the vent of super-session of any Panchayat.

In order to remove the inadequacies in the implementation and effectiveness in the Urban Local bodies, a new Part IX-A relating to the Municipalities has been incorporated in the Constitution to provide among the other things, Constitution of three types of Municipalities, i.e., Nagar Panchayat for areas in transition from a rural area, Municipal Council for smaller urban areas and Municipal Corporation for larger urban areas.

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SCHEDULES

1st Schedule: (Under Articles 1 and 4) It gives a List of the States and Territories comprising the Union. **States** 1. Andhra Pradesh 2. Assam 3. Bihar 4. Gujarat 5. Kerala 6. Madhya Pradesh 7. Tamil Nadu 8. Maharashtra 9. Karnataka 10. Orissa 11. Punjab 12. Rajasthan 13. Uttar Pradesh 14. West Bengal 15. Jammu & Kashmir 16. Nagaland 17. Haryana 18. Himachal Pradesh 19. Manipur 20. Tripura 21. Meghalaya 22. Sikkim 23. Arunachal Pradesh 24. Mizoram 25. Goa **Union Territories** 1. Delhi 2. Andaman & Nicobar Islands 3. Laccadive, Minicoy and Amindivi Islands 4. Dadra and Nagar Haveli 5. Daman and Diu 6. Pondicherry and 7. Chandigarh.

2nd Schedule: (Under Articles 59-3, 65-3, 75-6, 97, 125, 148-3 & 158-3) consists of 5 Parts, A to E.

Part A fixes the remuneration and emoluments payable to the President and Governors. Part B has been deleted by the Constitution (7th Amendment) Act of 1956. Part C contains provisions as to the Speaker and the Deputy Speaker of the House of the People and the Chairman and Deputy Chairman of the Council of the States and the Speaker of the Legislative Assembly and the Chairman and Deputy Chairman of the Legislative Council. Part D contains provisions as to emoluments of the Judges of the Supreme Court and of the High Courts. Part E contains provisions as to the Comptroller and Auditor General of India.

3rd Schedule: (Under Articles 75-4, 99, 124-6, 148-2, 164-3, 188 and 219) contains forms of Oaths and Affirmations.

4th Schedule: (Under Articles 4-1 and 20) allocates seats for each State and the Union Territory, in the Council of States.

5th Schedule: (Under Article 244-1) provides for the administration and control of Scheduled Areas. This Schedule provides for the Amendment by a simple majority of Parliament and takes it out of the ambit of Article 368 (Amendment of the Constitution).

6th Schedule: (Under Articles 214-2 and 275-1) provides for the administration of Tribal Areas in Assam, Meghalaya and Mizoram. This is the lengthiest Schedule which goes into

the details of the administration in the Tribal Areas concerned. This Schedule can also be amended by a simple majority of the Parliament.

7th Schedule: (Under Article 246) gives three Lists: (1) Union List contains 97 subjects in which the Union Government has exclusive authority; (2) State List contains 66 subjects which are under the exclusive authority of State Governments; and (3) Concurrent List contains 47 subjects, where the Union and States has concurrent powers.

8th Schedule: (Under Articles 344-1 and 351-1) gives a List of 18 languages recognized by the Constitution: Assamese; Bengali, Gujarati, Hindi, Kannada, Kashmiri, Malayalam, Marathi, Oriya, Punjabi, Sanskrit, Sindhi, Tamil, Telugu, Urdu, Konkani, Manipuri and Nepali.

9th Schedule: (Under Article 31-B) was added by the Constitution (1st Amendment) Act 1951. It contains Acts and Orders relating to land tenures, land tax, railways, industries, etc. passed by the State Governments, and the Union Government which are beyond the jurisdiction of Civil Courts.

10th Schedule: (Under Articles 101, 102, 191 and 192). It contains the Anti-defection Act.

11th Schedule: (Under Article 243-G) mentions functional areas or subjects that are necessary for implementation of schemes for economic development and social justice in each Panchayat. To mention few – Agriculture, Social Forestry, Small Scale Industry, Roads, Rural Housing, Public Distribution Systems, Education, Health & Sanitation, Poverty-Alleviation, Non-Conventional Energy Sources, etc.

12th Schedule: Mentions three types of Municipal Committees – Nagar Panchayats for transitional area, Municipal Council for smaller urban areas and Municipal Corporations for large urban areas.

CONSTITUTIONAL AMENDMENTS

One of the peculiar features of the Indian Constitution is that various parts of it call for various processes of Amendments. The methods of Amendments are three, according to the subject matter of the Article concerned. (1) Articles that may be amended by a simple majority of the Parliament. These are mainly matters of detail like those provided in the Schedules. (2) Articles that may be amended by two-thirds majority of both the Houses of Parliament. These are comparatively important matters. (3) Articles that require not only a two-thirds majority of Parliament but also ratification by at least one-half of the State Legislatures.

Articles of the third category are specifically mentioned. They are the following: Articles concerning the election of the President (Articles 54 & 55), the powers of the Union Cabinet (Article 73), the powers of State Cabinets (Article 162), the High Courts in Union Territories (Article 241), the establishment of Supreme Court (Chapter IV, Part V), Constitution and powers of High Courts (Chapter V, Part VI). Relations between the Union & State Legislatures (Chapter I, Part IX), the Lists – Union List, State List and Concurrent List – in the 7th Schedule, the representation of States in Parliament and the provisions of Article 368 itself (Part XX).

Article 368 (Part XX) lays down the general procedure for the Amendments. But Articles that require a only a simple majority in the Parliament do not fall in this category. Such Articles are indicated by a special clause attached to each of them which specifically excludes

the operation of the Article 368 (Refer Article 21, 6th Schedule). Amendment of all other Articles comes within the scope of Article 368.

1. (1950) This Amendment has permitted reasonable restrictions to be imposed by law on the exercise of the right of freedom of speech and expression in the interest of friendly relations with foreign states, or public order.
2. (1952) Amended Article 81 with a view to readjusting the scale of representation in the House of the People, necessitated by the completion of the 1951 census.
3. (1954) Substituted entry 33 of the Concurrent List in the 7th Schedule by a new one including food stuffs, cattle fodder, raw cotton and jute as additional items whose production and supply can be controlled by the Central Government if found expedient in the public interest.
4. (1955) The Amendment provides that when the State compulsorily acquires private property for a public purpose, the scale of compensation prescribed by the authorized legislation could not be called in question in a court.
5. (1955) Empowers the President to fix a time limit for State Legislatures to express their views on proposed central laws affecting the area, boundaries, etc. of their respective states.
6. (1956) Added a new entry to the Union List in the 7th Schedule relating to taxes on sale and purchase of goods in the course of Inter-State transactions.
7. (1956) It was passed for the reorganization of the States. It involved not only the establishment of new states and alterations in the state boundaries but also the abolition of the three categories of the States and classification of certain areas as Union Territories.
8. (1960) Extended the special provision relating to the reservation of seats for the Scheduled Tribes and the representation of Anglo-Indians in the House of the People and State Legislative Assemblies, for the further period of 10 years from 26th January, 1960.
9. (1960) Amended the 1st Schedule to the Constitution in order to give effect to the transfer of certain territories to Pakistan in pursuance of the agreements entered between the Governments of India and Pakistan in September 1958.
10. (1961) Incorporated former Portuguese enclaves of Dadra and Nagar Haveli within India and provided for their administration by the President.
11. (1961) Obviated the necessity of a Joint meeting of the Houses of Parliament by forming them into an Electoral College for the election of the Vice President. It also amended Article 71 so as to make it clear that the election of the President or Vice President shall not be challenged on the ground of any vacancy, for whatever reason, in the appropriate Electoral College.
12. (1962) It was passed to include the territories of Goa, Daman and Diu as a Union Territory in the 1st Schedule to the Constitution and to empower the President to make regulations for the peace, progress and good government of these areas.
13. (1962) Created Nagaland as the 16th State in the Indian Union.
14. (1962) Conferred necessary legislative powers on Parliament to enact laws for the creation of Legislature and Council of Ministers in Union Territories. Former French

- establishments of Pondicherry, Karaikal, Mahe and Yanam were specified in the Constitution as the Union Territory of Pondicherry.
15. (1963) Empowers the President of India, in consultation with the Chief Justice of India to make final decisions on the dispute about High Court's Judge age. It also shortened the procedure for disciplinary action against the State employees.
 16. (1963) Empowered the State to enact any legislation, imposing reasonable restrictions in the exercise of fundamental rights by the citizens, so as to protect the sovereignty and integrity of India.
 17. (1964) Provided that if the State acquires land which is under the personal cultivation of the owner and within the ceiling limit, compensation has to be paid at the market value of the property so acquired.
 18. (1966) Provided for the linguistic reorganization of the Punjab into Punjabi-speaking State called Punjab and a Hindi-speaking State called as Haryana. It further provided that the word 'State' in Clauses (a) to (e) of Article 3 includes a Union Territory and clarified that the Parliament had the power to form a new State or Union Territory by combining any part of a State or Union Territory with any part of any State or Union Territory.
 19. (1966) Clarifies the duties of Election Commission.
 20. (1966) Validated the appointment of certain District Judges, irregularly appointed.
 21. (1967) Includes Sindhi language in the 8th Schedule to the Constitution.
 22. (1969) Empowered the Parliament to carve a new State (Meghalaya) out of Assam.
 23. (1969) Provided for the extension of the reservation of seats for Scheduled Castes and Tribes and the nomination of the members of the Anglo-Indian community for another 10 years.
 24. (1971) Affirmed the Parliament's power to amend the any part of the Constitution, including the Fundamental Rights by amending the Articles 368 and 13 of the Constitution. This neutralized the decision in Golak Nath case. A peculiar feature of the Amendment was that the President was bound to give assent to amending Acts, when they were presented to him, thus making the Presidential assent an automatic Act.
 25. (1971) Barred the jurisdiction of courts over acquisition laws in regard to the adequacy of the amount paid in lieu of takeover. The word 'Compensation' in the case of takeover was deleted and the word 'amount' substituted.
 26. (1971) This Amendment withdrew the recognition given to former rulers of Princely States and abolished the privy purses granted to them.
 27. (1971) Under this Amendment, two new Union Territories, Mizoram and Arunachal Pradesh, were setup.
 28. (1972) Deleted the Article 314 of the Constitution, which gave protection to the ICS Officers' conditions of service and privileges.
 29. (1972) Included the Kerala Land Reforms (Amendment) Act, 1969 and the Kerala Land Reforms (Amendment) Act, 1971, in the 9th Schedule to the Constitution so as to protect these Acts from the judicial review.

30. (1972) Curtailed the number of appeals to the Supreme Court. Formerly appeals to the Supreme Court were decided on the basis of the valuation of the subject matter. The Amendment made only such cases which involve a substantial question of law, appealable to the Supreme Court.
31. (1973) Increased the upper limit of the elective seats in the Lok Sabha from 525 to 545.
32. (1973) Implemented the 6-point programme for Andhra Pradesh.
33. (1974) Invalidated the acceptance of resignations by the members of the Legislatures and Parliament, which were made under duress or coercion, or any other kind of involuntary resignations.
34. (1974) Provided constitutional protection to 20 land reform Acts passed by the various states, by including them in the 9th Schedule to the Constitution.
35. (1974) Provided for the Associate State status to Sikkim.
36. (1975) Made Sikkim a State of the Indian Union as the 22nd State.
37. (1975) Provided for Legislative Assembly and a Council of Ministers for the Union Territory of Arunachal Pradesh.
38. (1975) Declaration of Emergency by the President and the promulgation of the Ordinances by the President, Governors and Administrative Heads of Union Territories were made non-justiciable (beyond the purview of the judiciary).
39. (1975) Placed the election of the President, Vice President, Prime Minister and Speaker beyond judicial scrutiny.
40. (1976) Amended Article 297 and declared that all land, minerals and other things of value underlying the ocean within the territorial waters or the continental shelf or exclusive economic zone of India shall vest in the Union and shall be held for the purpose of the Union.
41. (1976) Raised the retiring age of State Public Service Commission members from 60 to 62. This does not affect members of the Union Public Service Commission who retire at the age of 65.
42. (1976) The main features of the Amending Act may be summarized as follows:
 - (a) The Preamble has been altered from 'Sovereign Democratic Republic' to 'Sovereign Socialist, Secular, Democratic, Republic' and 'unity of the nation' into 'unity and integrity of the nation'.
 - (b) The Directive Principles of the Constitution given precedence over the Fundamental Rights, wherever they came into conflict.
 - (c) Similarly, the prevention or prohibition of anti-national activities takes precedence over Fundamental Rights.
 - (d) Certain Fundamental Duties are laid down which have to be observed by all citizens. Non-compliance with or refusal to observe the duties shall be punishable by law. No court shall question the validity of such actions.
 - (e) Number of seats in the Lok Sabha and the State Assemblies which are based on population shall remain frozen as in the 1971 census till 2001 A.D.
 - (f) The duration of the Lok Sabha and the State Assemblies is increased from 5 to 6 years.

- (g) The quorum for the Lok Sabha and the State Assemblies prescribed in the Constitution has been removed which means that a quorum is no longer a constitutional necessity.
 - (h) The Parliament may decide what offices are offices of profit under the government or what amounts to corrupt practice in disqualifying an elected member from any House of Legislature.
 - (i) Rights and privileges of members and Committees of Legislatures are to be decided by the concerned Houses from time to time.
 - (j) Proclamation of Emergency may be made applicable to any part of the country (instead of the whole country). Similarly emergency can be lifted from any part of the country while it remains in force in other parts.
 - (k) The duration of the Presidential proclamation taking over the State Government shall be one year instead of six months.
 - (l) The union has the power to deploy armed forces to any State and to delimit cantonment areas in the State. The State cannot exercise any power in the disposition of the armed forces or the administration of the cantonment areas.
 - (m) No court can question the competence of the Parliament to amend the Constitution.
 - (n) The Supreme Court alone can adjudicate on the validity of any Central Law and the High Courts can adjudicate on the validity of the State Laws. If the validity of any State Law is dependent on the validity of any Central Law or vice versa, then the Supreme Court can adjudicate on them. In any case, any decision on the constitutional invalidity has to be made by a two-third majority of sitting Judges where the number is not less than 5. If the number of Judges is less than 5, the judgment has to be unanimous. It is also provided that the High Courts have no power to make an interim order, where it will impede or obstruct any enquiry or action by the government.
 - (o) The President's liability to act in accordance with the advice of the Council of Ministers has been made practically mandatory.
43. (1977) Which received the Presidential assent on 3rd April, 1978 (i) omit some Articles added by the 42nd Amendment and (ii) alters the other Articles and restores the Jurisdiction of Supreme Court and High Courts to review any legislation in the States.
44. (1978) Makes Right to Property not a fundamental one, prevents declaration of emergency on account of internal strikes and empowers for declaration of emergency only if there is armed rebellion. It also places restriction on preventive detention.
45. (1980) Extends the safeguards in respect of reservation of seats in Parliament and State Assemblies for Scheduled Castes and Tribes as well as for the Anglo-Indians for a period of 10 years.
46. (1982) Tax levied on the consignment of the goods in the course of inter-state trade or commerce is assigned to the states.
47. (1984) Intended to provide for the inclusion of certain land reform Acts in the 9th Schedule to the Constitution.

48. (1984) This was an Amendment to Clause 5(q) Article 356 of the Constitution for the continuation of the President's Rule in the Punjab for another year.
49. (1984) Gives constitutional security to the autonomous District Councils functioning in the State of Tripura.
50. (1984) (i) the members of the Forces charged with the protection of property belonging to, or in the charge or possession of the State; or (ii) persons employed in any bureau or other organization established by the State for the purposes of intelligence or counter intelligence; or (iii) persons employed in, or in connection with, the telecommunication systems setup for the purposes of any Force, bureau or organization were brought within the ambits of Article 33.
51. (1984) Replaces the section dealing "Scheduled Castes and Tribes except in the tribal areas of Assam, Nagaland, Meghalaya, Arunachal Pradesh and Mizoram" with "the Scheduled Tribes except the Scheduled Tribes in the autonomous district of Assam" – in the Articles 330 and 332.
52. (1985) Effected by a Bill popularly called Anti-Defection Bill, was to curb defection by disqualification. The following are the features of the Act:
 1. A Member of Parliament or State Legislature belonging to any political party shall be disqualified for being a member of that House: (a) if he has voluntarily given up his membership of such political party; or (b) if he votes or abstains from voting in such House contrary to any direction issued by the political party to which he belongs or by any person or authority authorized by it in this behalf without obtaining in either case, the prior permission of such political party, persons or authority, and such voting or abstention hasn't been condoned by such political party, person or authority within 15 days from the date of such voting or abstention.
 2. An elected member of House who has been elected as such otherwise than as a candidate setup by any political party shall be disqualified for being a member of the House if he joins any political party after such elections.
 3. A nominated member of a House shall be qualified for being a member of the House if he joins any political party after the expiry of 6 months from the date on which he takes his seat after complying with the requirements of the Article 99 or, as the case may be Article 188.
53. (1986) Inserted a new Article 371G conferring full Statehood on Mizoram.
54. (1986) Amended Part D of the Schedule II giving effect to the increases of salaries of the Chief Justice and Judges of Supreme Court and High Courts. An enabling provision for changes in the salaries of Judges in future by Parliament by Law was made in Articles 125 and 221.
55. (1986) Conferred full Statehood on Arunachal Pradesh.
56. (1987) Sought to make a special provision for the setting up of new State of Goa. Consequently, Daman and Diu were separated from the former to form a Union Territory.
57. (1987) Amended Article 332 of the Constitution providing for special arrangements with regard to reservation for Scheduled Tribes in the North-eastern states of

- Arunachal Pradesh, Nagaland, Mizoram and Meghalaya, until readjustment of seats on the basis of the first census after 2000 A.D.
58. (1987) Authorizes the President to publish an authoritative translation of the Constitution.
 59. (1988) Empowered the government to impose emergency in the Punjab on the grounds that India's integrity was threatened by the internal disturbances.
 60. (1988) Empowered the State Governments to increase the ceiling on Professional Tax from Rs.250.00 to Rs.2500.00 per person per annum.
 61. (1989) Lowered the voting age to 18 from 21 years.
 62. (1989) Provided for the extension by another 10 years of reservation of seats in the Parliament and State Assemblies for Scheduled Castes and Tribes and reservation for Anglo-Indian community by nomination.
 63. (1989) Repealed Amendment 359A empowering government to impose emergency in the Punjab.
 64. (1990) Sought extension of President's Rule in Punjab for another six months.
 65. (1990) To setup National Commission for Scheduled Castes and Tribes.
 66. (1990) To bring land reforms within the purview of 9th Schedule of the Constitution.
 67. (1990) Extension of President's Rule in Punjab.
 68. (1991) Extends President's Rule in Punjab.
 69. (1991) Delhi made National Capital Territory.
 70. (1992) Some changes in the Amendment No. 69.
 71. (1992) 8th Schedule of the Constitution amended to include Konkani, Manipuri and Nepali.
 72. (1992) Article 332 amended to determine the number of reserved seats for Scheduled Tribes in the State Assembly of Tripura, until readjustment of seats made on the basis of census 2000.
 73. (1993) Part IX relating to Panchayats inserted in the Constitution to provide Grama Sabha, Constitution of Panchayats at village and other levels, direct elections to all seats, fixing the tenures, reservations for Scheduled Caste & Scheduled Tribe and 33% seats for women, etc.
 74. (1993) A new Part IX-A relating to Municipalities i.e. Nagar Panchayats, Municipal Councils and Municipal Corporations.
 75. (1994) Article 332 (Part XIV-A) amended to give timely relief to the rent litigants by setting up State-level Rent Tribunals to reduce the tiers of appeals, and to exclude jurisdiction of all courts except Supreme Court under the Article 136.
 76. (1994) Aims at the reservation of seats in the educational institutions and reservation of appointments or posts in public services for Backward Classes, Scheduled Castes and Scheduled Tribes. The Supreme Court, on 16th November, 1992 ruled that the total reservations under the Article 16-4 should not exceed 50%.

77. (1995) Article 16-4A provides reservations in promotion for the Scheduled Caste and Scheduled Tribe.
78. (1995) The Amendments to Acts placed in the 9th Schedule are immunized from legal challenge, through a number of amending Acts along with few principal Acts so that its implementation becomes smooth.
79. (1999) Government extends the reservation of seats for Scheduled Caste, Scheduled Tribe and Anglo-Indians in the Lok Sabha and Legislative Assemblies for next 10 years.
80. (2000) Deals with an alternative scheme for sharing taxes between Union and States.
81. (2000) Provides that the unfilled vacancies of a year reserved for Scheduled Caste / Scheduled Tribe kept for being filled up in a year as per Article 16, shall be considered separately for filling vacancies in succeeding year and the previous list will not be considered for filling the 50% quota of the respective year.
82. (2000) Provides that nothing in the Article 355 shall prevent the State from making any provisions in favour of the members of Scheduled Caste / Scheduled Tribe for relaxation in qualifying marks with respect to examination / job / promotion.
83. (2000) The Act amended Article 243M to provide that no reservations in Panchayats be made in favour of Scheduled Caste / Scheduled Tribe in Arunachal Pradesh where the whole population is tribal.
84. (2001) The Act amended provisions to the Articles 82 and 170-3 to readjust the territorial constituencies in the States, without altering the number of seats allotted to each State in House of People and Assemblies, including the Scheduled Caste / Scheduled Tribe constituencies 1991.
85. (2001) Amended Article 16-4A to provide for consequential seniority in promotion by virtue of rule of reservation for the government servants belonging to Scheduled Castes and Scheduled Tribes.
86. (2002) Provides for insertion of a new Article 21A that the State shall provide free and compulsory education to all children of age of 6 to 14 years in such manner as the State may, by law, determine. A new Fundamental Duty under 51A(k) has also added to make it the responsibility of parent or guardian to provide opportunities for education between the age of 6 to 14 years.

Table of Precedence (Indian / State Governments)

1. President
2. Vice President
3. Prime Minister
4. Governors of States within their respective States
5. Former Presidents
 - a. Deputy Prime Minister
6. Chief Justice of India; Speaker of Lok Sabha

7. Cabinet Ministers of the Union; Chief Ministers of the States within their respective States; Deputy Chairman, Planning Commission; Former Prime Ministers; Leaders of the Opposition in Rajya Sabha and Lok Sabha
 - a. Holders of the Bharat Ratna Decoration
8. Ambassadors extraordinary and plenipotentiary and High Commissioners of Common Wealth countries accredited to India; Chief Ministers of States outside their respective States; Governors of States outside their respective States
9. Judges of Supreme Court
 - a. Chief Election Commissioner; Comptroller & Auditor General
10. Deputy Chairman, Rajya Sabha; Deputy Chief Ministers of States; Deputy Speaker, Lok Sabha; Members of Planning Commission; Ministers of State of the Union and any other Minister in the Ministry of Defence for defence matters
11. Attorney General of India; Cabinet Secretary; Lieutenant Governors within their respective Union Territories
12. Chiefs of Staff holding the rank full General or equivalent rank
13. Envoys extraordinary and Ministers plenipotentiary accredited to India
14. Chairman and Speaker of State Legislatures within their respective States; Chief Justice of High Courts within their respective jurisdiction
15. Cabinet Ministers in the States within their respective States; Chief Ministers of Union Territories within their respective Union Territories; Deputy Ministers of the Union
16. Officiating Chiefs of Staff holding the rank of Lieutenant General or equivalent rank
17. Chairman, Central Administrative Tribunal; Chairman, Minorities Commission; Chairman, Scheduled Caste & Scheduled Tribe Commission; Chairman, Union Public Services Commission; Chief Justices of High Courts outside their respective jurisdiction; Puisne Judges of High Courts within their respective jurisdictions
18. Cabinet Ministers in States outside their respective States; Chairman and Speaker of State Legislatures outside their respective States; Chairman, MRTP Commission; Deputy Chairman and Deputy Speaker of State Legislatures within their respective States; Ministers of Union Territories within their respective Union Territories; Speaker of Legislative Assemblies in Union Territories within their respective Union Territories
19. Chief Commissioner of Union Territories not having Council of Ministers, within their respective Union Territories; Deputy Ministers in States within their respective States; Deputy Speaker of Legislative Assemblies in Union Territories, within their respective Union Territories
20. Deputy Chairman and Deputy Speakers of State Legislatures outside their respective States; Ministers of States outside their respective States; Puisne Judges of High Courts outside their respective jurisdictions
21. Members of Parliament
22. Deputy Ministers in States outside their respective States

23. Army Commanders / Vice Chief of the Army Staff or equivalent in other Services; Chief Secretaries to State Governments within their respective States; Commissioner for Linguistic Minorities; Commissioner for Scheduled Caste and Scheduled Tribe; Members, Minorities Commission; Members, Scheduled Caste / Scheduled Tribe Commission; Officers of the rank of full General or equivalent rank; Secretaries of Government of India (including Officers holding this office ex-officio); Secretary, Minority Commission; Secretary, Scheduled Caste / Scheduled Tribe Commission; Secretary to President; Secretary to the Prime Minister; Secretary, Rajya and Lok Sabhas; Solicitor-General; Vice Chairman, Central Administrative Tribunal
24. Officers of the rank of Lt. General or equivalent rank
25. Additional Secretaries to the Government; Additional Solicitor-General; Advocate Generals of States; Chairman, Tariff Commission; Charged Affairs and acting High Commissioners a pied and interim; Chief Ministers of Union Territories outside their respective Union Territories; Chief Secretaries of the State Governments outside their respective States; Deputy Comptroller & Auditor General; Deputy Speakers of Legislative Assemblies in Union Territories outside their respective Union Territories; Director, Central Bureau of Investigation; Director General, Border Security Force; Director General, Central Reserve Police Force; Director, Investigation Bureau; Lt. Governors outside their respective Union Territories; Members, Central Administrative Tribunal; Members, MRTP Commission; Members, Union Public Services Commission; Ministers of Union Territories outside their respective Union Territories; Principal Staff Officers of the Armed Forces and the Officers of the rank of Major; General or equivalent rank; Speakers of Legislative Assemblies in Union Territories and Chairman, Delhi Metropolitan Council outside their respective Union Territories
26. Joint Secretaries to the Government of India and Officers of equivalent rank; Officers of the rank of Major General or equivalent rank

IMPORTANT CASES

Case – 1: Maneka Gandhi vs Union of India (1978)

The fact situation in this case was as follows:

Section 10 (3)(c) of the Passport Act authorizes the Passport authority to impound a Passport authority to impound a Passport if it deems it necessary to do so in the interest of the sovereignty and integrity of India, the security of India, friendly relations of India with any foreign country, or in the interest of the general public. Maneka's Passport was impounded by the Central Government under the Passport Act in the interest of the general public.

Maneka filed a writ petition challenging the order on the ground of violation of her Fundamental Rights under Article 21. One of the major grounds of challenge was that the order impounding the Passport was null and void as it had been made without affording her an opportunity to being heard in her defence.

The Court laid down a number of propositions seeking to make Article 21 much more meaningful than hitherto.

- ▶ The court reiterated the proposition that Articles 14, 19 and 21 are not mutually exclusive. A law prescribing a procedure for depriving a person of 'personal liberty' has to meet the requirements of Article 19. Also the procedure established by law in Article 21 must answer the requirement of Article 14 as well.
- ▶ The expression 'Personal Liberty' in Article 21 was given an expansive interpretation. The expression 'Personal Liberty' ought not to be read in a narrow and restricted sense so as to exclude those attributes of personal liberty, which are specifically dealt with in Article 19. The right to travel abroad falls under Article 21.
- ▶ The most significant and creative aspect of Maneka case is the re-interpretation by the Court of the expression 'procedure established by law' used in Article 21. Article 21 would no longer mean that law could prescribe some semblance of procedure, however arbitrary or fanciful, to deprive a person of his personal liberty. It now means that the procedure must satisfy certain requisites in the sense of being fair and reasonable.

The procedure cannot be arbitrary unfair or unreasonable.

As the right to travel abroad falls under Article 21, natural justice must be applied while exercising the power of impounding a Passport under the Passport Act. Although the Passport Act does not expressly provide for the requirement of hearing before a passport is impounded, yet the same has to be implied therein.

Case – 2: Sunil Batra vs Delhi Administration (1980)

The Court has given several directives to improve many aspects of prison administration and condition of prisoners. In this case, the Court has pointed out that its powers under Article 32 are free from the rigid restraints of the traditional English writs. Prison torture is not beyond the reach of the Supreme Court under Article 32. For this purpose, the Court treats letters from prisoners as writ petitions. In this case, the judicial process was set in motion by a letter written by a prisoner to a Judge of the Supreme Court complaining of the brutal attack by the prison staff on a fellow prisoner. Forsaking all procedural formalities, 'since freedom was at stake', the letter was treated by the Court as a petition for the writ of Habeas Corpus.

Case – 3: Hussainara Khatoon vs Home Secretary–State of Bihar (1979)

Hussainara Khatoon case of the Bihar under trials started with an Article written in Indian Express. An advocate then filed a petition under Article 32 in the Supreme Court to protect the personal liberty of the under trials. The Supreme Court has laid great emphasis on speedy trial of criminal offences and has emphasized: "It is implicit in the broad sweep and content of Article 21". A fair trial implies a speedy trial. No procedure can be 'reasonable fair or just' unless that procedure ensures a speedy trial for determination of the guilt of such person. The Supreme Court has directed release of all under trials who have been in jail

for periods longer than the maximum term of imprisonment for which they could be sentenced if convicted of the offence charged.

The Court also directed that the under trial prisoners, who are accused of multiple offences and who have already been in jail for the maximum term for which they could be sentenced on conviction, even if the sentences awarded to them were consecutive and not concurrent, should be released forthwith, since their continued detention clearly violates not only human dignity but also their Fundamental Right under Article 21 of the Constitution.

The Supreme Court has taken a big innovative step forward in humanizing the administration of criminal justice by suggesting that free legal aid be provided by the State to poor prisoners facing a prison sentence.

Case – 4: Keshavananda Bharti vs State of Kerala (1973)

The State of Kerala passed the Kerala Land Reforms Act, 1963. This Act affected the interest of the petitioner, Keshavananda Bharti, Swamiji of a Mutt. So he filed a writ petition before the Supreme Court under Article 32 of the Constitution, contending that his Fundamental Rights under Articles 14, 19(1)(f), 25, 26 and 31 were violated by the Kerala Land Reforms Act.

While the case was pending, the Parliament passed three Constitutional Amendments, viz., 24th, 25th and 29th Amendments. The Constitutional 24th Amendment repealed Article 19(1)(f) which read “to acquire, hold and dispose of property”. It also repealed Article 31, i.e., compulsory acquisition of property. It made several other changes. It also included the Kerala Land Reforms Act in the 9th Schedule, thereby making them immune from attack on the ground of Fundamental Rights. As a result, the Fundamental Right to property was deleted from the Constitution.

The petitioner felt that, by these Amendments, he would lose the case in the Court. So, he amended his writ petition before the Supreme Court and challenged the validity of 24th, 25th and 29th Amendments. He contended that though the power of the Parliament to amend was wide, it was not unlimited. The power to amend under Article 368 should not empower the Parliament to destroy the basic features of the Constitution. The Supreme Court’s judgement in this case is as follows:

- ▶ The Constitutional 24th Amendment Act, 1971, Section 2(a)(b) of the Constitution Constitutional 25th Amendment Act, and the Constitution Constitutional 29th Amendment Act are valid.
- ▶ The decision of the majority in Golaknath’s case that the word ‘law’ in Article 13(2) included Amendments to the Constitution and the Article operated as a limitation upon the power to amend the Constitution under Article 368 is erroneous, and so, is overruled.
- ▶ The power of Amendment includes within itself the power to add, alter or repeal the various Articles of the Constitution, including those relating to Fundamental Rights.
- ▶ There is no power to amend or alter the basic structure of the Constitution.
- ▶ The First Part of the Article 31C is valid, and the Second Part of the Article 31C laying down “no law containing a declaration that if it is for giving effect to such

policy shall be called in question in any court on the ground that it does not give effect to such policy" is invalid.

- ▶ There is no inherent or implied limitation on the power of Amendment under Article 368.

Case – 5: Air India vs Nergesh Merza (1981)

A regulation made by Air India, a Statutory Corporation, fixed the normal age of retirement of air hostesses at 35 years but authorized the Managing Director to extend the same to 45 years at his option subject to other conditions being satisfied. The regulation was held bad as it armed the Managing Director with uncanalized and unguided discretion to extend the age of retirement of any air hostess. No guidelines, principles or norms were laid down subject to which the power was to be exercised. Nor was there any procedural safeguard available to an air hostess who was denied extension.

A regulation providing for termination of service of an air hostess in Air India on her first pregnancy has been held to be arbitrary and abhorrent to the notions of a civilized society.

Case – 6: Vishaka vs State of Rajasthan (1997)

The Supreme Court has declared sexual harassment of a working woman at her place of work as amounting to violation of rights of gender equality and right to life and liberty which is clear violation of Articles 14, 15 and 21 of the Constitution. Article 21 guarantees right to life with dignity. Accordingly, the Court has observed in this connection: "The meaning and content of the Fundamental Rights guaranteed in the Constitution of India are of sufficient amplitude to encompass all the facets of gender equality including prevention of sexual harassment or abuse".

Sexual harassment also violates the victim's Fundamental Right under Article 19(1)(g) "to practice any profession or to carry out any occupation, trade or business". Thus Article 32 is attracted.

In the absence of any domestic law relating to sexual harassment in India, the Supreme Court has itself laid down Article 32 some directions for prevention of such harassment. These directions are binding and enforceable and are required to be strictly observed in all work places until suitable legislation is enacted to occupy the field.

Case – 7: M. R. Balaji vs State of Mysore (1963)

An order of the Mysore Government issued under Article 15(4) reserved seats for admission to the State Medical and Engineering Colleges for Backward Classes (28%) and for Scheduled Tribes (3%). Backward and more backward classes were designated on the basis of 'castes' and 'communities'.

The Supreme Court characterized Article 15(4) as an exception to Article 15(1) [as well as to Article 29(2)]. The Court declared the order bad on several grounds in this case.

- ▶ The first defect in the Mysore Order was that it was based solely on caste without regard to other relevant factors and this was not permissible under Article 15(4).

- ▶ Secondly, the test adopted by the State to measure educational backwardness was the basis of the average of student population in the last three high school classes of all high schools in the State in relation to a thousand citizens of that community. This average for the whole State was 6.9 per thousand. The voice of the Mysore Order was that it included in the list of Backward Classes, castes or communities whose average was slightly above, or very near or just below the State average [for example, Lingayats (7.1) were mentioned in Backward Class list].
- ▶ Thirdly, the Court declared that Article 15(4) does not envisage classification between backward and more backward classes as was made by the Mysore Order.

In Balaji case, the Supreme Court could sense the danger in treating 'caste' as the sole criterion for determining social and educational backwardness. The importance of the judgement lies in realistically appraising the situation when the Court said that economic backwardness would provide a more reliable yardstick for determining social backwardness because more often educational backwardness is the outcome of social backwardness. The Court drew distinction between 'caste' and 'class'. An attempt at finding a new basis for ascertaining social and educational backwardness in place of caste is reflected in the Balaji decision.

The Court also ruled that reservation under Article 15(4) should be reasonable. It should not be such as to defeat or nullify the main rule of equality enshrined in Article 15(1). While it would not be possible to predicate the exact permissible percentage of reservation, it can be stated in a general and broad way that it ought to be less than 50%.

Case – 8: Indra Sawhney vs Union of India (1992) – Mandal Commission Case

The Supreme Court has taken cognizance of many complex but very momentous questions having a bearing on the future welfare and stability of the Indian society.

- ▶ The overall reservation in a year is limited to a maximum of 50%.
- ▶ Amongst the classes granted reservation, those who have been benefited from reservation and have thus improved their social status (called the 'creamy layer' by the Court), should not be allowed to benefit from reservation over and over again. This means that the benefit of reservation should not be misappropriated by the upper caste but that the benefit of reservation should be allowed to filter down to the lowliest so that they may benefit from reservation to improve their position. The Court has said that if a member of IAS, IPS or any other All India Service, his / her social status rises; he / she is no longer socially disadvantaged. This means that, in effect, a family can avail of the reservation only once.
- ▶ An element of merit has been introduced into the scheme of reservation:
 - Promotions are to be merit based and are to be excluded from the reservation rule.
 - Certain posts are excluded from the reservation rule and recruitment to such posts is to be merit based.
 - Minimum standards have to be laid for recruitment to the reserved posts.

Case – 9: Murali S. Deora vs Union of India (2002)

Consequence to this case, the Supreme Court prohibited smoking in public places and issued direction to the Union of India, State Governments and Union Territories to take effective steps to ensure prohibition in public places. The Court held that there is no reason to compel non-smokers to be helpless victims of air pollution which is injurious.

Case – 10: Unnikrishnan vs State of Andhra Pradesh (1993)

The Supreme Court has ruled that establishing educational institutions cannot be regarded as trade or commerce falling under Article 19(1)(g). Imparting education cannot be allowed to become commerce. Trade or business normally connotes an activity carried on for a profit motive. Imparting of education has never been regarded as commerce in India. Private educational institutions are a necessity of the day as the Government alone cannot meet the demand for education particularly in the sector of Medical and Technical Education which calls for huge outlays. In this case, the Court was faced with the question – how to encourage private educational institutions without allowing them to commercialize education.

The Court has reiterated the proposition that having regard to the fundamental significance of education to the life of an individual and the nation, the right to education is implicit in, and flows from the right to life guaranteed by Article 21. The parameters of this right, which is not absolute, have to be determined in the light of the Directive Principles contained in Articles 43, 45 and 46. The Court has now limited the State obligation to provide educational facilities as follows:

- ▶ Every citizen has a right to free education until he / she completes the age of 14 years.
- ▶ Beyond that age, the State obligation to provide education is subject to the limits of the economic capacity and development of the State. While denouncing the levy of capitation fee by certain professional colleges, the Court has however accepted that unaided private educational institutions can charge higher tuition fee.

The Supreme Court held that Fundamental Rights and Directive Principles are supplementary and complementary to each other and that the provisions in Part III (Fundamental Rights) should be interpreted having regard to the Preamble and the Directive Principles of State Policy.

Case – 11: TMA Pai Foundation vs State of Karnataka (2002)

In this case, some of the major questions pending decision before the Supreme Court are:

- ▶ What are the indicia for treating an institution as a minority educational institution?
- ▶ Whether the State or the affiliating University can regulate admission of students to minority educational institutions?
- ▶ Whether the ratio in St. Stephen's College case (50%) is correct?

- ▶ Whether the ruling in Unnikrishnan case requires reconsideration / modification? What is the meaning of the expressions 'Education' and 'Educational Institutions' in various provisions of the Constitution?
- ▶ Is the right to establish and administer educational institutions guaranteed under the Constitution?

After a long wait, an 11-Judge Bench of the Supreme Court heard and decided the matter in 2002. It was held.

- ▶ The right to establish and administer educational institutions is guaranteed to all citizens [Articles 19(1)(g) and 26] and to minorities specifically under Article 30. These rights are not limited to minorities and are available to all persons.
- ▶ The State is to be regarded as the unit for determining both 'linguistic minority' as well as 'religious minority'.
- ▶ The question whether a sect or denomination of a religion can claim minority status even though followers of that religion are in minority was left unanswered.
- ▶ The question as to what are the criteria for treating an educational institution as minority institution was left open.
- ▶ The right of minorities under Article 30 covers professional institutions.
- ▶ Admission to students to unaided minority institutions cannot be regulated by the State or a University but it can provide the qualifications and minimum conditions of eligibility in the interest of academic interests.
- ▶ An aided minority educational institution has the right to admit students belonging to the minority but it may be required by the State Government to admit a reasonable number of non-minority students. Reasonable number would depend on the type of institution, courses being run and educational needs of the minorities.
- ▶ Among the minority group admissions must be on merit.
- ▶ In case of aided professional institutions, the State may prescribe that only those persons may be admitted who have passed a common entrance test.
- ▶ A minority institution may have its own procedure and method of admission but the procedure must be fair and transparent. Selection in professional and higher education colleges should be based on merit.
- ▶ The State can provide that in aided institutions consideration is shown to weaker sections.
- ▶ In case of unaided institutions, the controls should be minimal. Conditions of recognition and affiliation by or to a Board or University have to be complied. But the appointment of teaching and non-teaching staff and control over them will vest in the management. The State may frame regulations prescribing the minimum qualification of a teacher or the Principal and also in regard to service conditions.
- ▶ Unaided institutions can charge any fees but no institution can charge capitation fee.

- ▶ The basic ratio of St. Stephen's College is correct but rigid percentage cannot be stipulated.
- ▶ The (partly over ruled) scheme framed in Unnikrishnan case is unconstitutional. But the principle that there should be no capitation fee or profiteering is correct (partly over ruled).

Case – 12: People's Union for Democratic Rights vs Union of India (1982) – Asiad Case

The Supreme Court has given an expansive significance to the term 'Forced Labour' used in Article 23(1) in a series of cases beginning with the Asiad Case in 1982. The Court has insisted that Article 23 is intended to abolish every form of forced labour even if it has origin in a contract. The Court insisted that every form of forced labour is within the inhibition of Article 23 and it makes no difference whether the person who is forced to give his labour or service to another is remunerated or not. Even if a person has contracted with another to perform service and there is consideration for such service, "he cannot be forced, by compulsion of law or otherwise to perform such service, as that would be forced labour".

Even payment of wages less than the minimum wages would be regarded as forced labour. This case was brought before the Supreme Court under Article 32 by an organization devoted to the protection of democratic rights of the people complaining of the breaches of the workers engaged in the construction of the Asiad projects.

Case – 13: Church of God (Full Gospel) in India vs KKRMC Welfare Association (2000)

The question of controlling noise pollution has become embroiled with the question of religious freedom guaranteed by the Articles 25 and 26. Can a church claim the freedom to relay prayers on the loudspeakers causing noise pollution and nuisance to the residents? The Supreme Court has ruled in this case, that the question of religious freedom does not arise as no religion requires that prayers be performed through voice amplifiers. The Court directed that the guidelines framed by the Government under the relevant rules framed under Environmental Protection Act, 1986 must be followed by the concerned authorities. Any such practice use of loudspeakers by a particular community should not affect the rights of others.

Case – 14: M. C. Mehta vs Union of India (1987)

A petition was filed under Article 32 of the Constitution by an advocate bringing the pollution of the river Ganges to the notice of the Court. This was caused by the discharge of effluents into the Ganges by the tanneries at Jajmau in Kanpur, Uttar Pradesh. The petition invoked Articles 21, 48A and 51 of the Constitution together with the Water (Protection) Act, 1974. Referring to the Environment (Protection) Act, 1986 as well as the Water Act, the Court noted that nothing had been done to stop this public nuisance. The tanneries which had not taken minimum steps for the primary treatment of industrial effluents were ordered to be closed. This was done despite the unemployment and loss of revenue it would cause as the Court stated that life, health and ecology have greater importance.

Case – 15: Bijoe Emmanuel vs State of Kerala (1987)

The Director of Public Instruction, Kerala issued a circular instructing the students of all schools to sing National Anthem in their schools. Three students belonging to Jehovah's witnesses were expelled as they did not sing the National Anthem. A writ was filed by Bijoe Emmanuel on behalf of the three students in Kerala High Court, questioning the validity of the school management's expulsion order and also the circular of the Director of Public Instruction. The Kerala High Court dismissed the writ petition and upheld the expulsion. It held that it was every citizen's fundamental duty to respect the national integrity and to sing the National Anthem.

The Supreme Court reversed the judgement of the Kerala High Court and gave its judgement in favour of the appellant. The Court ruled that Jehovah's witnesses constitute a religious denomination. Compelling a student belonging to the Jehovah's witnesses to join in the National Anthem despite his "genuine conscientious religious objection", would contravene the right guaranteed by Articles 19(1)(a) and 25(1). The Court has noted that Jehovah's witnesses wherever they are do not sing the National Anthem, though they show respect to it by standing up whenever it is sung. They truly and conscientiously believe that their religion does not permit the singing of the National Anthem.

The Court has also held it a violation of Article 19(1)(a) to punish a student for not singing the National Anthem. Thus, the negative right, the right to remain silent has been implied in the Freedom of Speech guaranteed by Article 19(1)(a). As regards Article 51A(a) imposing fundamental duties on citizens of India, the Court said, "It is true Article 51A(a) enjoins a duty on every citizen of India to abide by the Constitution and respect its ideals and institutions, the National Flag and National Anthem".

Proper respect is shown to the National Anthem by standing up when it is sung. It will not be right to say that disrespect is shown by not joining in singing.

DISTRIBUTION OF PARLIAMENTARY SEATS IN DIFFERENT STATES AND UNION TERRITORIES

Sl. No.	States	LOK SABHA				RAJYA SABHA
		General	SC	ST	Total	
01.	Uttar Pradesh	63	17	0	80	31
02.	Maharashtra	41	3	4	48	19
03.	Andhra Pradesh	34	6	2	42	18
04.	West Bengal	32	8	2	42	16
05.	Bihar	34	6	0	40	16
06.	Tamil Nadu	32	7	0	39	18
07.	Madhya Pradesh	20	4	5	26	11
08.	Karnataka	24	4	0	28	12

Contd....

09.	Gujarat	20	2	4	26	11
10.	Rajasthan	18	4	3	25	10
11.	Orissa	13	3	5	21	10
12.	Kerala	18	2	0	20	9
13.	Assam	11	1	2	14	7
14.	Jharkhand	8	1	5	14	6
15.	Punjab	10	3	0	13	7
16.	Chhattisgarh	5	2	4	11	5
17.	Haryana	8	2	0	10	5
18.	Jammu & Kashmir	6	0	0	6	4
19.	Uttaranchal	4	1	0	5	3
20.	Himachal Pradesh	3	1	0	4	3
21.	Arunachal Pradesh	2	0	0	2	1
22.	Goa	2	0	0	2	1
23.	Meghalaya	2	0	0	2	1
24.	Manipur	1	0	1	2	1
25.	Tripura	1	0	1	2	1
26.	Nagaland	1	0	0	1	1
27.	Sikkim	1	0	0	1	1
28.	Mizoram	0	0	1	1	1
A.		414	77	39	530	229
Union Territories:						
01.	Delhi	6	1	0	7	3
02.	Andaman & Nicobar Islands	1	0	0	1	0
03.	Chandigarh	1	0	0	1	0
04.	Dadra & Nagar Haveli	0	0	1	1	0
05.	Daman & Diu	1	0	0	1	0
06.	Lakshadweep	0	0	1	1	0
07.	Pondicherry	1	0	0	1	1
B.		10	1	2	13	4
C.	Total = (A + B)	424	78	41	543	233
D.	Nominated				2	12
E.	Grand Total = (C + D)				545	245

JURISDICTION AND SEATS OF HIGH COURTS

Sl. No.	High Court's Name	Year of Establishment	Territorial Jurisdiction	Seat
01.	Allahabad	1866	Uttar Pradesh	Allahabad (Bench at Lucknow)
02.	Andhra Pradesh	1954	Andhra Pradesh	Hyderabad
03.	Bombay	1862	Maharashtra, Dadra & Nagar Haveli, Goa and Daman & Diu	Bombay (Bench at Nagpur, Panaji and Aurangabad)
04.	Calcutta	1862	West Bengal and Andaman & Nicobar Islands	Calcutta (Circuit Bench at Port Blair)
05.	Chhattisgarh	2000	Chhattisgarh	Bilaspur
06.	Delhi	1966	Delhi	Delhi
07.	Guwahati	1948	Assam, Manipur, Tripura, Meghalaya, Nagaland, Mizoram & Arunachal Pradesh	Guwahati (Bench at Kohima and Circuit Benches at Imphal, Agartala and Shillong)
08.	Gujarat	1960	Gujarat	Ahmedabad
09.	Himachal Pradesh	1971	Himachal Pradesh	Shimla
10.	Jammu & Kashmir	1957	Jammu & Kashmir	Srinagar and Jammu
11.	Jharkhand	2000	Jharkhand	Ranchi
12.	Karnataka	1884	Karnataka	Bangalore
13.	Kerala	1956	Kerala and Lakshadweep	Ernakulam
14.	Madhya Pradesh	1956	Madhya Pradesh	Jabalpur (Benches at Gwalior and Indore)
15.	Tamil Nadu	1862	Tamil Nadu & Pondicherry	Madras
16.	Orissa	1948	Orissa	Cuttack
17.	Bihar	1916	Bihar	Patna
18.	Punjab & Haryana	1966	Punjab, Haryana and Chandigarh	Chandigarh
19.	Rajasthan	1950	Rajasthan	Jodhpur (Bench at Jaipur)
20.	Sikkim	1975	Sikkim	Gangtok
21.	Uttaranchal	2000	Uttaranchal	Nainital

STATES AND UNION TERRITORIES OF INDIA

Sl. No.	Name	Capital	Principal Language
States:			
01.	Andhra Pradesh	Hyderabad	Telugu
02.	Arunachal Pradesh	Itanagar	Bengali, English
03.	Assam	Guwahati	Assamese
04.	Bihar	Patna	Hindi
05.	Chhattisgarh	Raipur	Hindi
06.	Gujarat	Gandhinagar	Gujarati
07.	Goa	Panaji	Konkani
08.	Haryana	Chandigarh	Hindi
09.	Himachal Pradesh	Shimla	Hindi
10.	Jammu & Kashmir	Srinagar	Kashmiri, Urdu
11.	Jharkhand	Ranchi	Hindi
12.	Karnataka	Bangalore	Kannada
13.	Kerala	Trivandrum	Malayalam
14.	Madhya Pradesh	Bhopal	Hindi
15.	Mizoram	Aizwal	Mizo, English
16.	Maharashtra	Mumbai	Marathi
17.	Manipur	Imphal	Manipuri
18.	Meghalaya	Shillong	English
19.	Nagaland	Kohima	English
20.	Orissa	Bhubaneswar	Oriya
21.	Punjab	Chandigarh	Punjabi
22.	Rajasthan	Jaipur	Hindi
23.	Sikkim	Gangtok	Hindi, Nepali
24.	Tamil Nadu	Chennai	Tamil
25.	Tripura	Agartala	Bengali
26.	Uttaranchal	Dehradun	Hindi
27.	Uttar Pradesh	Lucknow	Hindi
28.	West Bengal	Kolkata	Bengali

Contd....

Union Territories:			
01.	Andaman & Nicobar Islands	Port Blair	Bengali
02.	Chandigarh	Chandigarh	Punjabi, Hindi
03.	Dadra & Nagar Haveli	N. Haveli	Gujarati
04.	Delhi	New Delhi	Hindi
05.	Lakshadweep	Karavati	Malayalam
06.	Pondicherry	Pondicherry	Tamil
07.	Daman & Diu	Daman	Gujarati

SOURCES OF REVENUE FOR THE UNION AND THE STATES

Union Sources

- ▶ Corporation Tax
- ▶ Currency, Coin & Legal Tender, and Foreign Exchange
- ▶ Duties of Customs including Export Duties
- ▶ Duties of Excise on Tobacco and certain goods manufactured or produced in India
- ▶ Estate Duty in respect of Property other than Agricultural land
- ▶ Fees in respect of any of the matters in the Union List, but not including any fees taken in any Court
- ▶ Foreign Loans
- ▶ Lotteries organized by the Government of India or the State Governments
- ▶ Post Office Savings Bank
- ▶ Post & Telegraph, Telephones, Wireless, Broadcasting and other forms of Communication
- ▶ Property of the Union
- ▶ Public Debt of the Union
- ▶ Railways
- ▶ Rates of Stamp Duty in respect of Bills of Exchange, Cheques, Promissory Notes, etc.
- ▶ Reserve Bank of India
- ▶ Taxes on Income other than Agricultural income
- ▶ Taxes on the Capital Value of the Assets, exclusive of Agricultural land of Individuals and Companies
- ▶ Taxes other than Stamp Duties on transactions in Stock Exchanges and Future Markets
- ▶ Taxes on the sale or purchase of Newspapers and on advertisements published therein
- ▶ Terminal Taxes on Goods or Passengers, carried by Railways, Sea, or Air

State Sources

- ▶ Capitation Tax
- ▶ Duties in respect of succession to Agricultural land
- ▶ Duties of Excise on certain goods produced or manufactured in the States, such as alcoholic liquids, opium, etc.
- ▶ Estate Duty in respect of Agricultural land
- ▶ Fees in respect of any of the matters in the State List, but not including fees taken in any Court
- ▶ Land Revenue
- ▶ Rates of Stamp Duty in respect of documents other than those specified in the Union List
- ▶ Taxes on Agriculture Income
- ▶ Taxes on Land and Buildings
- ▶ Taxes on Mineral Rights, subject to limitations imposed by the Parliament relating to Mineral Development
- ▶ Taxes on the Consumption or Sale of Electricity
- ▶ Taxes on the entry of goods into a local area for consumption, use or sale therein
- ▶ Taxes on the sale and purchase of goods other than Newspapers
- ▶ Taxes on Advertisements other than those published in Newspapers
- ▶ Taxes on goods and passengers carried by Road or on Inland Waterways
- ▶ Taxes on Vehicles
- ▶ Taxes on Animals and Boats
- ▶ Taxes on Professions, Trades, Callings and Employments
- ▶ Taxes on Luxuries, including Taxes on Entertainments, Amusements, Betting and Gambling
- ▶ Tolls

Taxes Levied and Collected by the Union but assigned to the States (Article 269)

- ▶ Duties in respect of succession to property other than Agricultural land
- ▶ Estate Duty in respect of property other than Agricultural land
- ▶ Taxes on Railway Fares and Freights
- ▶ Taxes other than Stamp Duties on transaction in Stock Exchanges and Future Markets
- ▶ Taxes on the sale or purchase of Newspapers and on Advertisements published therein
- ▶ Terminal Taxes on goods or passengers carried by Railways, Sea or Air
- ▶ Taxes on the sale or purchase of goods other than Newspapers where such sale or purchase takes place in the course of Inter-State Trade or Commerce

Duties Levied by the Union but Collected and Appropriated by the States (Article 268)

Stamp Duties and Duties of Excise on Medicinal and Toilet preparations (those mentioned in the Union List) shall be levied by the Government of India but shall be collected:

- ▶ In the case where such Duties are leviable within any Union Territory, by the Government of India
- ▶ In other cases, by the States within which such Duties are respectively leviable

Taxes which are Levied and Collected by the Union but which may be Distributed between the Union and the States (Articles 270 & 272)

'Taxes on Income' does not include Corporation Tax. The distribution of Income Tax proceeds between the Union and the States is made on the basis of the recommendations of the Finance Commission:

- ▶ Taxes on income other than Agricultural income
- ▶ Union Duties of Excise other than such Duties of Excise on Medicinal and Toilet preparations as are mentioned in the Union List and collected by the Government of India

Union Ministries and Departments

The day-to-day enforcement and administration of national laws lies in the hands of the various federal Union Ministries and Departments, created by the Indian Parliament to deal with specific areas of national and international affairs. In matters delegated to the States, Ministries act in advisory and funding capacity.

- ▶ Ministry of Agriculture
- ▶ Ministry of Agro and Rural Industries
- ▶ Ministry of Chemicals and Fertilizers
- ▶ Ministry of Civil Aviation
- ▶ Ministry of Coal
- ▶ Ministry of Commerce and Industry
- ▶ Ministry of Communications and Information Technology
- ▶ Ministry of Company Affairs
- ▶ Ministry of Consumer Affairs, Food and Public Distribution
- ▶ Ministry of Culture
- ▶ Ministry of Defence
- ▶ Ministry of Development of North Eastern Region
- ▶ Ministry of Earth Sciences
- ▶ Ministry of Environment and Forests
- ▶ Ministry of External Affairs
- ▶ Ministry of Finance

- ▶ Ministry of Food Processing Industries
- ▶ Ministry of Health and Family Welfare
- ▶ Ministry of Heavy Industries and Public Enterprises
- ▶ Ministry of Home Affairs
- ▶ Ministry of Housing and Urban Poverty Alleviation
- ▶ Ministry of Human Resources Development
- ▶ Ministry of Information and Broadcasting
- ▶ Ministry of Labour and Employment
- ▶ Ministry of Law and Justice
- ▶ Ministry of Mines
- ▶ Ministry of Minority Affairs
- ▶ Ministry of New and Renewable Energy
- ▶ Ministry of Overseas Indian Affairs
- ▶ Ministry of Panchayat Raj
- ▶ Ministry of Parliamentary Affairs
- ▶ Ministry of Personnel, Public Grievances and Pensions
- ▶ Ministry of Petroleum and Natural Gas
- ▶ Ministry of Planning
- ▶ Ministry of Power
- ▶ Ministry of Railways
- ▶ Ministry of Rural Development
- ▶ Ministry of Science and Technology
- ▶ Ministry of Shipping, Road Transport and Highways
- ▶ Ministry of Small Scale Industries
- ▶ Ministry of Social Justice and Empowerment
- ▶ Ministry of Statistics and Programme Implementation
- ▶ Ministry of Steel
- ▶ Ministry of Textiles
- ▶ Ministry of Tourism
- ▶ Ministry of Tribal Affairs
- ▶ Ministry of Urban Development
- ▶ Ministry of Water Resources
- ▶ Ministry of Women and Child Development
- ▶ Ministry of Youth Affairs and Sports

Central Government (Independent Departments)

- ▶ Department of Atomic Energy
- ▶ Department of Space

Independent Executive Agencies: The Constitution of India also provides for following independent organizations, which are answerable to the Parliament and are not under the purview of any Ministry, namely,

- ▶ Central Bureau of Investigation
- ▶ Central Vigilance Commission
- ▶ Central Information Commission
- ▶ Comptroller and Auditor General of India
- ▶ Election Commission of India
- ▶ National Commission for Women
- ▶ National Commission on Population
- ▶ National Human Rights Commission
- ▶ Planning Commission
- ▶ Telecom Regulatory Authority of India
- ▶ Union Public Services Commission
- ▶ Atomic Energy Regulatory Board

Parliamentary Committees

Parliament finds it convenient to constitute Committees to conduct in depth studies and make recommendations. In regard to Bills, a House may resolve to refer the Bill to a Select Committee constituted exclusively of its members or it may with the concurrence of the other House refer the Bill to a Joint Committee of both the Houses. The following are the important list of Committees:

- ▶ Business Advisory Committee
- ▶ Committee on Private Member's Bills and Resolutions
- ▶ Committee on Papers laid on the table
- ▶ Committee on Petitions
- ▶ Privileges Committee
- ▶ Committee on Subordinate Legislation
- ▶ Committee on Government Assurances
- ▶ Committee on absence of Members from the meetings of the House
- ▶ Rules Committee
- ▶ General Purposes Committee
- ▶ Housing Committee
- ▶ Library Committee
- ▶ Public Accounts Committee – Function is to examine the annual accounts of the Government and the accounts showing appropriation of different sums granted by the Lok Sabha. This scrutinizes the report of the Comptroller and Auditor General in regard to the Appropriation Accounts of the Government.
- ▶ Estimates Committee – The Government of the day formulates the economic policies and presents demands to the Parliament for carrying out the policies. In order to

scrutinize the expenditure proposed by the Government in an informal atmosphere disregarding party lines, this is constituted after the budget is presented before the Lok Sabha.

- ▶ Committee on Public Undertakings – The main function is to examine the reports and accounts of the Public Undertakings specified in the Rules of the Lok Sabha, viz. Damodar Valley Corporation, Indian Airlines, Air India, Life Insurance Corporation of India, Food Corporation of India, Industrial Finance Corporation, etc.
- ▶ Committee on Welfare of Scheduled Castes and Tribes – The main functions are - to consider the reports submitted by the Commissioner for Scheduled Castes and Scheduled Tribes; to report on the action taken by the Union Government on the measures proposed by the Committee; to examine the representation of in the services and the posts under the Union; to review the working of the welfare programmes for the Scheduled Castes and Scheduled Tribes even in the Union Territories.

Motion

It is a procedural Parliamentary device by which the functions of the House are sought to be achieved. In simple words, it sets the House in motion. It generally suggests a course of action before the House. Some important motions are –

- ▶ *Discussion on Matters of Public Importance:* This is covered under Rule 184 of the Lok Sabha.
- ▶ *No Confidence Motion:* Rule 198 of Lok Sabha governs the no confidence motion in the Council of Ministers. Article 75 mentions that the Council of Ministers is to be collectively responsible to the Lok Sabha. Hence, it can be introduced only in the Lok Sabha. The time allotted for this motion is much longer as compared to other motions. It may range from a day to a week depending on the consensus in the House. This takes precedence over all other business that may be pending before the House. If the House passes the motion, the Prime Minister is obliged to submit the resignation of his / her Council of Ministers.
- ▶ *Confidence Motion:* It is moved by the ruling party to seek or demonstrate the support of the majority of the House. The necessity for this new kind of motion arose because under the Parliamentary form of Government, the President must invite the leader of the party or group commanding a majority in the Lok Sabha to form a Ministry. The majority in this context means a majority of seats in the Lok Sabha and not the simple majority of the members present and voting on a particular motion.
- ▶ *Adjournment Motion:* When there is an urgent matter of public importance then a member may propose that the business of the House be adjourned for discussing that matter. This motion can be moved only with the consent of the Speaker. Generally such motions are discussed in the afternoon at 4.00 p.m. as per Rule 56.

Comparison between the Offices of:

The President	The Governor
It is a Constitutional Office. His / her functions are mostly ceremonial. His / her discretionary powers relate to the appointment of the Prime Minister and dissolution of the Lok Sabha in exceptional cases. In general, he / she is to abide by the advice of the Council of Ministers.	It is a Constitutional Office. He / she mostly performs ceremonial functions but the Constitution explicitly confers certain discretionary powers on him / her.
The Constitution does not expressly mention any area in which the President is to function independently of the Council of Ministers.	Article 163 explicitly mentions that in certain spheres, he / she is expected to exercise his / her discretion. If any questions arises whether any matter is discretionary or not the decision of the Governor in his / her discretion will be final.
He / she cannot of his / her own reserve a Bill passed by a State Legislature for his / her consideration.	He / she may reserve a Bill passed by the State Legislative for the consideration of the President (Article 200).
At the center, the Constitution does not envisage a single situation in which he / she may function without a council of Ministers. He / she cannot assume the executive power of the Union.	Under Article 356, when a proclamation is issued, the executive power of the State is assumed by the President. He / she functions without a Council of Ministers.
He / she has to special responsibility spelled out by the Constitution in which he / she has to act on his / her personal judgment.	Under Articles 371, 371A, etc., he / she has special responsibilities with regard to certain subjects in some of the States. The individual judgment of the Governor cannot be questioned in a Court of Law.
His / her power to grant pardon is much wider. They cover death sentence and court-martial.	His / her powers are limited to offences against any law falling within the State List.
He / she has emergency powers as defined in Articles 352, 356 and 360.	No other himself / herself has any emergency powers. The only power has to make a report to the President.
He / she is the Supreme Commander of the Armed Forces.	He / she no powers or functions in relation to the Armed Forces.

Indian Penal Code

It provides a penal code for all India including Jammu & Kashmir, where it was renamed the Ranbir Penal Code. The code applies to any offence committed by an Indian citizen anywhere and on any Indian registered ship or aircraft. The draft of the Indian Penal Code was prepared by the First Law Commission. It was chaired by Lord Macaulay. Its basis is the law of England freed from superfluities, technicalities and local peculiarities. Suggestions

were also derived from the French Penal Code and from Livingstone's Code of Louisiana. The draft underwent a very careful revision at the hands of Sir Barnes Peacock, Chief Justice, and puisne Judges of the Calcutta Supreme Court who were the members of the Legislative Council, and was passed into law in 1860, unfortunately Macaulay did not survive to see his masterpiece enacted into law.

Indian Penal Code came into force in 1862 (during the British Raj) and is regularly amended. The code contains several sections related to dowry law in India and has a total of 511 Sections covering various aspects of the Criminal Law. The nature of these has led to allegations of abuse of those laws. It was inherited by Pakistan and Bangladesh, formerly part of British India. It was also adopted wholesale by the British colonial authorities in Burma, Sri Lanka, Malaysia, Singapore and Brunei, and remains the basis of the criminal codes in those countries.

Republic Day of India

It is India's great national festival. It is celebrated every year on 26th January, in New Delhi with great pomp and pageant and in Capitals of the States, as well as at other Headquarters and important places with patriotic fervor. It was the Lahore Session of the Indian National Congress at midnight of 31st December, 1929 to 1st January, 1930, that the Tri-colour Flag was unfurled by the nationalists and a pledge taken that year on 26th January, the 'Independence Day' would be celebrated and that the people would unceasingly strive for the establishment of a Sovereign Democratic Republic of India. The professed pledge was successfully redeemed on 26th January, 1950, when the Constitution of India from by the Constituent Assembly of India came into force, although the independence from the British rule was achieved on 15th August, 1947.

It is because of this that 15th August is celebrated as Independence Day, while 26th as Republic Day. The most spectacular celebrations include the march past of the three Armed Forces, massive parades, folk dances by tribal folk from the different States in picturesque costumes making the cultural unity of India. Further, the streak of jet planes of Indian Air Force, leaving a trail of coloured smoke, marks the end of the festival. The trees on both sides of the routes and the lawns become alive with spectators.

The President of India at New Delhi, on this most colourful day, takes salute of the contingents of Armed Forces. In the States, the Governors take the salute, and Districts & Taluks, same procedure is followed by the District Collectors & the Assistant Collectors respectively. At Vijay Chowk in New Delhi, three days later (i.e. 29th January) the massed bands of the Armed Forces 'Beat the Retreat' in a majestic manner.

The Republic Day celebrations have rightly become world famous as one of the greatest shows on earth drawing thousands of eager sight-seers from all over the country and many parts of the world. No other country can draw on such a wealth of tribal traditions and cultures, so many regional forms of dances and dress. And, no other country in the world can parade so many ethnically different people in splendid uniforms as India's Armed Forces. But they are united in the proven loyalty to the Government elected by the people and in their proud traditions and legendary gallantry.

Officially, Republic Day is celebrated all over the country – National Capital, State Capitals, Municipal Corporations, Panchayats, and other official agencies. At the level of the people, it is observed in homes, housing colonies, schools, colleges and institutions of every kind.

Official Language of the Union

India is rich in languages. There are quite a number of languages spoken in India. Some of these languages are accepted nationally while others are accepted as dialects of that particular region. The Indian languages belong to four language families namely, Indo-European, Dravidian, Austroasiatic (Austic) and Sino-Tibetan. Majority of the India's population are using Indo-European and Dravidian languages. The former was spoken mainly in northern and central regions and the latter in southern India. Some ethnic groups in Assam and other parts of eastern India speak Austic languages. People in the northern Himalayan region and near the Burmese border speak Sino-Tibetan languages. The written forms of language or script come from an ancient Indian script called *Brahmi*.

India has 22 officially recognized languages. The Part that describes the official language of the Indian democracy has to be written to promote a feeling of unity among Indian citizens. As we know that even today anywhere between 300 to 1000 languages are spoken in India, this makes the integral part of the Constitution. The official language of India shall be Hindi in Devanagari script. The form of numerals to be used for the official purposes of the Union shall be the international form of Indian numerals.

Notwithstanding anything in Clause (1) for a period of fifteen years from the commencement of this Constitution, the English language shall continue to be used for all the official purposes of the Union for which it was being used immediately before such commencement.

Sanskrit, the classical language of India, represents the highest achievement of the Indo-Aryan languages. The beginning of Sanskrit literature may be traced back to Rig Vedic period. It is the oldest literary language of India, which is more than 5000 years old and the basis of many modern Indian languages including Hindi and Urdu. Provided that the President may, during the said period, by order authorize the use of the Hindi language in addition to the English language and of the Devanagari form of numerals in addition to the international form of Indian numerals for any of the official purposes of the Union.

Regional Languages

- ▶ *Article 345:* Official language or languages of a State: Subject to the provisions of Articles 346 and 347, the State Legislature may by law adopt any one or more of the languages in use in the State or Hindi as the language or languages to be used for all or any of the official purposes of that State. Provided that, until the State Legislature otherwise provides by law, the English language shall continue to be used for those official purposes within the State for which it was being used immediately before the commencement of this Constitution.
- ▶ *Article 346:* Official language for communication between one State and another or between a State and the Union: The language for time being authorized for use in the Union for official purposes shall be the official language for communication

between one State and another State and between a State and the Union. Provided that if two or more States agree that the Hindi language should be the official language for communication between such States, that language may be used for such communication.

- ▶ *Article 347:* Special provision relating to language spoken by the section of the population of a State: On a demand being made in that behalf the President may, if he / she is satisfied that a substantial proportion of the population of a State desire the use of any language spoken by them to be recognized by that State, direct that such language shall also be officially recognized throughout that State or any part thereof for such purpose as he / she may specify.
- ▶ *Article 350:* Language to be used in representations for redress of grievances: Every person shall be entitled to submit a representation for the redress of any grievance to any officer or authority of the Union or a State in any of the languages used in the Union or a State, as the case may be.
- ▶ *Article 350A:* Facilities for instruction in mother-tongue at primary stage: It shall be the endeavor of every State and of every local authority within the State to provide adequate facilities for instruction in the mother-tongue at the primary stage of education to children belonging to linguistic minority groups; and the President may issue such directions to any State as he / she considers necessary or proper for securing the provision of such facilities.
- ▶ *Article 350B:* Special Officer for Linguistic Minorities: There shall be a Special Officer for Linguistic Minorities to be appointed by the President. It shall be the duty of the Special Officer to investigate all matters relating to the safeguards provided for Linguistic Minorities under this Constitution and report to the President upon those matters at such intervals as the President may direct, and the President shall cause all such reports to be laid before each House of Parliament, and sent to the State Governments concerned.
- ▶ *Article 351:* Directive for development of the Hindi language: It shall be the duty of the Union to promote the spread of the Hindi language, to develop it so that it may serve as a medium of expression for all the elements of the composite culture of India and to secure its enrichment by assimilating without interfering with its genius, the forms, style and expressions used in Hindustani and in the other languages of India specified in the 8th Schedule, and by drawing, wherever necessary or desirable, for its vocabulary, primarily on Sanskrit and secondarily on other languages.

Forms of Oaths or Affirmations: [Articles 75(4), 99, 124(6), 148(2), 164(3) and 219] {As per Third Schedule}

- ▶ *Form of Oath of Office for a Minister for the Union:*
 “I, ABC, do swear in the name of God that I will bear true faith and solemnly affirm allegiance to the Constitution of India as by law established, that I will uphold the sovereignty and integrity of India, that I will faithfully and conscientiously discharge my duties as a Minister for the Union and that I will do right to all manner of people in accordance with the Constitution and the law, without fear or favour, affection or ill-will”.

- ▶ *Form of Oath of Secrecy for a Minister for the Union:*
 "I, ABC, do swear in the name of God that I will not directly or indirectly solemnly affirm communicate or reveal to any person or persons any matter which shall be brought under my consideration or shall become known to me as Minister for the Union except as may be required for the due discharge of my duties as such Minister".
- ▶ *Form of Oath or Affirmation to be made by a candidate for election to the Parliament:*
 "I, ABC, having been nominated as a candidate to fill a seat in the Council of States (or House of the People) do swear in the name of God that I will bear true faith solemnly affirm and allegiance to the Constitution of India as by law established and that I will uphold the sovereignty and integrity of India".
- ▶ *Form of Oath or Affirmation to be made by a Member of the Parliament:*
 "I, ABC, having been elected (or nominated) a Member of the Council of States (or House of the People) do swear in the name of God that I will bear true faith solemnly affirm and allegiance to the Constitution of India as by law established, that I will uphold the sovereignty and integrity of India and that I will faithfully discharge the duty upon which I am about to enter".
- ▶ *Form of Oath or Affirmation to be made by the Judges of the Supreme Court and Comptroller and Auditor General of India:*
 "I, ABC, having been appointed Chief Justice (or a Judge) of the Supreme Court of India (or Comptroller and Auditor General of India) do swear in the name of God that I solemnly affirm will bear true faith and allegiance to the Constitution of India as by law established, that I uphold the sovereignty and integrity of India, that I will duly and faithfully and to the best of my ability, knowledge and judgement perform the duties of my office without fear or favour, affection or ill-will and that I will uphold the Constitution and the laws".
- ▶ *Form of Oath of Office for a Minister for a State:*
 "I, ABC, do swear in the name of God that I will bear true faith and solemnly affirm allegiance to the Constitution of India as by law established, that I will uphold the sovereignty and integrity of India, that I will faithfully and conscientiously discharge my duties as a Minister for the State of and that I will do right to all manner of people in accordance with the Constitution and the law, without fear or favour, affection or ill-will".
- ▶ *Form of Oath of Secrecy for a Minister for a State:*
 "I, ABC, do swear in the name of God that I will not directly or indirectly solemnly affirm communicate or reveal to any person or persons any matter which shall be brought under my consideration or shall become known to me as Minister for the State of except as may be required for the due discharge of my duties as such Minister".
- ▶ *Form of Oath or Affirmation to be made by a candidate for election to the Legislature of a State:*
 "I, ABC, having been nominated as a candidate to fill a seat in the Legislative Assembly (or Legislative Council), do swear in the name of God that I will bear true faith

solemnly affirm and allegiance to the Constitution of India as by law established and that I will uphold the sovereignty and integrity of India”.

- ▶ *Form of Oath or Affirmation to be made by a Member of the Legislature of a State:*
“I, ABC, having been elected (or nominated) a Member of the Legislative Assembly (or Legislative Council), do swear in the name of God that I will bear true faith solemnly affirm and allegiance to the Constitution of India as by law established, that I will uphold the sovereignty and integrity of India and that I will faithfully discharge the duty upon which I am about to enter”.
- ▶ *Form of Oath or Affirmation to be made by the Judges of a High Court:*
“I, ABC, having been appointed Chief Justice (or a Judge) of a High Court do swear in the name of God that I will bear true faith and allegiance to solemnly affirm the Constitution of India as by law established, that I uphold the sovereignty and integrity of India, that I will duly and faithfully and to the best of my ability, knowledge and judgement perform the duties of my office without fear or favour, affection or ill-will and that I will uphold the Constitution and the laws”.

Presidents of India: (As on 01.12.2007)

Dr. Rajendra Prasad	26.01.1956 – 13.05.1962
Dr. Sarvepalli Radhakrishnan	13.05.1962 – 13.05.1967
Dr. Zakir Hussain	13.05.1967 – 03.05.1969
Sri Varahagiri Venkatagiri (Acting)	03.05.1969 – 20.07.1969
Justice Mohammed Hidayatullah (Acting)	20.07.1969 – 24.08.1969
Sri Varahagiri Venkatagiri	24.08.1969 – 24.08.1974
Sri Fakhruddin Ali Ahmed	24.08.1974 – 11.02.1977
Sri Basappa Danappa Jatti (Acting)	12.02.1977 – 25.07.1977
Sri Neelam Sanjeeva Reddy	25.07.1977 – 25.07.1982
Sri Giani Zail Singh	25.07.1982 – 25.07.1987
Sri Ramaswamy Venkataraman	25.07.1987 – 25.07.1992
Dr. Shankar Dayal Sharma	25.07.1992 – 25.07.1997
Dr. Kocheril Raman Narayanan	25.07.1997 – 25.07.2002
Dr. A. P. J. Abdul Kalam	25.07.2002 – 25.07.2007
Smt. Pratibha Patil	25.07.2007 – till date

Vice Presidents of India: (As on 01.12.2007)

Dr. Sarvepalli Radhakrishnan	13.05.1952 – 12.05.1962
Dr. Zakir Hussain	13.05.1962 – 12.05.1967

Contd....

Sri Varahagiri Venkatagiri	13.05.1967 – 03.05.1969
Sri Gopal Swarup Pathak	31.08.1969 – 30.08.1974
Sri Basappa Danappa Jatti	31.08.1974 – 30.08.1979
Sri Mohammed Hidayatullah	31.08.1979 – 30.08.1984
Sri Ramaswamy Venkataraman	31.08.1984 – 27.07.1987
Dr. Shankar Dayal Sharma	03.09.1987 – 24.07.1992
Dr. Kocheril Raman Narayanan	21.08.1992 – 24.07.1997
Sri Krishan Kant	21.08.1997 – 27.07.2002
Sri Bhairon Singh Shekhawat	19.08.2002 – 21.07.2007
Mohammad Hamid Ansari	11.08.2007 – till date

Prime Ministers of India: (As on 01.12.2007)

Pt. Jawaharlal Nehru	15.08.1947 – 27.05.1964
Sri Gulzari Lal Nanda (Interim)	27.05.1964 – 09.06.1964
Sri Lal Bahadur Shastri	09.06.1964 – 11.01.1966
Smt. Indira Gandhi	24.01.1966 – 24.03.1977
Sri Morarji Desai	24.03.1977 – 28.07.1979
Sri Charan Singh	28.07.1979 – 14.01.1980
Smt. Indira Gandhi	14.01.1980 – 31.10.1984
Sri Rajiv Gandhi	31.10.1984 – 01.12.1989
Sri V. P. Singh	02.12.1989 – 10.11.1990
Sri Chandrashekar	10.11.1990 – 21.06.1991
Sri P. V. Narasimha Rao	21.06.1991 – 10.05.1996
Sri Atal Bihari Vajpayee	16.05.1996 – 01.06.1996
Sri H. D. Deve Gowda	01.06.1996 – 21.04.1997
Sri I. K. Gujral	21.04.1997 – 28.11.1997
Sri Atal Bihari Vajpayee	19.03.1998 – 22.05.2004
Dr. Manmohan Singh	22.05.2004 – till date

Speakers of the Lok Sabha: (As on 01.12.2007)

Ganesh V. Maulankar	1952 – 1956
M. Ananthasayanam Ayengar	1956 – 1962
Sardar Hukum Singh	1962 – 1967
Neelam Sanjeeva Reddy	1967 – 1969
Gurudayal Singh Dhillon	1969 – 1975
Bali Ram Bagat	1976 – 1977
Neelam Sanjeeva Reddy	1977 (March – July)
Kawdoor Sadaranda Hegde	1977 – 1979
Balram Jakhar	1980 – 1989
Rabi Ray	1989 – 1991
Shivaraj Patil	1991 – 1996
P. A. Sangma	1996 – 1998
G. M. C. Balayogi	1998 – 2002
Manohar Joshi	2002 – 2004
Somnath Chatterji	2004 – till date

Chief Justices of India: (As on 01.12.2007)

Harilal J. Kania	26.01.1950 – 06.11.1951
M. Patanjali Shastri	07.11.1951 – 03.01.1954
Mehar Chand Mahajan	04.01.1954 – 22.12.1954
B. K. Mukherjee	23.12.1954 – 31.01.1956
S. R. Das	01.02.1956 – 30.09.1959
Bhuvaneshwar Prasad Sinha	01.10.1959 – 31.01.1964
P. B. Gajendragadhkar	01.02.1964 – 15.02.1966
A. K. Sarkar	16.03.1966 – 29.06.1966
K. Subba Rao	30.06.1966 – 11.04.1967
K. N. Wanchoo	12.04.1967 – 24.02.1968

Contd....

M. Hidayatullah	25.02.1968 – 16.12.1970
J. C. Shah	17.12.1970 – 21.01.1971
S. M. Sikri	22.01.1971 – 25.04.1973
A. N. Ray	26.04.1973 – 27.01.1977
M. H. Bag	28.01.1977 – 21.02.1978
Y. V. Chandrachud	22.02.1978 – 11.07.1985
Prfullachandra Natvarlal Bhagwati	12.07.1985 – 20.12.1986
R. S. Pathak	21.12.1986 – 18.06.1989
E. S. Venkataramaiah	19.06.1989 – 17.12.1989
S. Mukherjee	18.12.1989 – 25.09.1990
Ranganath Mishra	25.09.1990 – 24.11.1991
K. N. Singh	25.11.1991 – 12.12.1991
M. H. Kania	13.12.1991 – 17.11.1992
L. M. Sharma	18.11.1992 – 11.02.1993
M. M. Venkatachalaiah	12.02.1993 – 24.10.1994
A. M. Ahmadi	25.10.1994 – 24.03.1997
J. S. Verma	25.03.1997 – 17.01.1998
M. M. Punchhi	18.01.1998 – 09.10.1998
A. S. Anand	10.10.1998 – 31.10.2001
S. P. Barucha	01.11.2001 – 06.05.2002
B. N. Kirpal	07.05.2002 – 07.11.2002
Gopal Ballav Pattanaik	08.11.2002 – 18.12.2002
Visveswar Nath Khare	19.12.2002 – 02.05.2004
Rajendra Babu	02.05.2004 – 01.06.2004
Ramesh Chandra Lahoti	01.06.2004 – 01.11.2005
Yogesh Kumar Sabharwal	01.11.2005 – 14.01.2007
K. G. Balakrishnan	14.01.2007 – till date

Governors of Karnataka: (As on 01.12.2007)

Sri Jayachamaraja Wodeyar	1956 – 1964
Gen. S. M. Srinagesh	1964 – 1965
Sri V. V. Giri	1965 – 1967
Sri G. S. Pathak	1967 – 1969
Sri Dharmaveera	1969 – 1972
Sri Mohanlal Sukhadia	1972 – 1976
Sri Umashankar Dixit	1976 – 1977
Sri M. Govind Narain	1977 – 1983
Sri A. N. Banerji	1983 – 1988
Sri P. Venkatasubbaiah	1988 – 1990
Sri Banu Pratap Singh	1990 – 1991
Sri Khurshid Alam Khan	1991 – 1999
Smt. V. S. Ramadevi	1999 – 2002
Sri Trilokinath Chaturvedi	2002 – 2007
Sri Rameshwar Thakur	2007 – till date

Chief Ministers of Karnataka: (As on 01.12.2007)

Sri Chengalaraya Reddy	25.10.1947 – 30.03.1952
Sri Kengal Hanumanthaiah	30.03.1952 – 19.08.1956
Sri Kadidal Manjappa	19.08.1956 – 31.10.1956
Sri S. Nijalingappa	01.11.1956 – 10.04.1957
Sri S. Nijalingappa	10.04.1957 – 16.05.1958
Sri B. D. Jatti	16.05.1958 – 09.03.1962
Sri S. R. Kanthi	14.03.1962 – 20.06.1962
Sri S. Nijalingappa	21.06.1962 – 03.03.1967
Sri S. Nijalingappa	03.03.1967 – 29.05.1968
Sri Veerendra Patil	29.05.1968 – 18.03.1971

Contd....

<i>President's Rule</i>	19.03.1971 – 20.03.1972
Sri D. Devaraj Urs	20.03.1972 – 31.12.1977
<i>President's Rule</i>	31.12.1977 – 28.02.1978
Sri D. Devaraj Urs	28.02.1978 – 07.01.1980
Sri R. Gundu Rao	12.01.1980 – 06.01.1983
Sri Ramakrishna Hegde	10.01.1983 – 29.12.1984
Sri Ramakrishna Hegde	08.03.1985 – 13.02.1986
Sri Ramakrishna Hegde	16.02.1986 – 10.08.1988
Sri S. R. Bommai	13.08.1988 – 21.04.1989
<i>President's Rule</i>	21.04.1989 – 30.11.1989
Sri Veerendra Patil	30.11.1989 – 10.10.1990
<i>President's Rule</i>	10.10.1990 – 17.10.1990
Sri S. Bangarappa	17.10.1990 – 19.11.1992
Sri M. Veerappa Moily	19.11.1992 – 11.12.1994
Sri H. D. Deve Gowda	11.12.1994 – 31.05.1996
Sri J. H. Patel	31.05.1996 – 07.10.1999
Sri S. M. Krishna	11.10.1999 – 28.05.2004
Sri Daram Singh	28.05.2004 – 27.01.2006
Sri H. D. Kumaraswamy	03.02.2006 – 08.10.2007
<i>President's Rule</i>	09.10.2007 – 08.11.2007
Sri B. S. Yeddyurappa	12.11.2007 – 19.11.2007
<i>President's Rule</i>	20.11.2007 – till date

Bharat Ratna

It is the India's highest civilian award given for exceptional service towards the advancement of Art, Literature and Science, and in recognition of public service of the highest order. It was established by the President of India, on 2nd January, 1954. The regulations were revised on 8th January, 1955 (to alter the design) and amended on 26th January, 1957 (to alter the depiction of the devices on the obverse and reverse). From 13th July, 1977 to 26th January, 1980, awards of the Bharat Ratna were suspended.

The original specifications for the award called for a circular gold medal, 35 mm in diameter, with the sun and the Hindi legend 'Bharat Ratna' above and a floral wreath below. The reverse was to carry the State Emblem and Motto. It was to be worn around the neck from a 2 inches white ribbon. There is no indication that any specimens of this design were ever produced and one year later the design was altered.

Recipients of Bharat Ratna

Year	Name
1954	<ul style="list-style-type: none"> • Sri C. Rajagopalachari (1878 – 1972) • Dr. S. Radhakrishnan (1888 – 1975) • Sir C. V. Raman (1888 – 1970)
1955	<ul style="list-style-type: none"> • Sir M. Visvesvaraya (1861 – 1962) • Dr. Bhagwan Das (1869 – 1958) • Pt. Jawaharlal Nehru (1889 – 1964)
1957	<ul style="list-style-type: none"> • Sri Govind Vallab Pant (1887 – 1961)
1958	<ul style="list-style-type: none"> • Dr. Dhondo Keshave Karve (1858 – 1962)
1961	<ul style="list-style-type: none"> • Dr. Bidhan Chandra Roy (1882 – 1962) • Sri Purushottam Das Tandon (1882 – 1962)
1962	<ul style="list-style-type: none"> • Dr. Rajendra Prasad (1884 – 1963)
1963	<ul style="list-style-type: none"> • Dr. Zakir Hussain (1897 – 1969) • Dr. Pandurang Vaman Kane (1880 – 1972)
1966	<ul style="list-style-type: none"> • Sri Lal Bahadur Shastri (1904 – 1966) (Posthumous)
1971	<ul style="list-style-type: none"> • Dr. Indira Gandhi (1917 – 1984)
1975	<ul style="list-style-type: none"> • Sri Varahagiri Venkatagiri (VV Giri) (1884 – 1980)
1976	<ul style="list-style-type: none"> • Sri Kumaraswami Kamraj (1903 – 1975) (Posthumous)
1980	<ul style="list-style-type: none"> • Mother Teresa (1910 – 1997)
1983	<ul style="list-style-type: none"> • Acharya Vinoba Bhave (1895 – 1982) (Posthumous)
1987	<ul style="list-style-type: none"> • Khan Abdul Ghaffar Khan (1890 – 1988)
1988	<ul style="list-style-type: none"> • Marudu Gopalan Ramachandran (1917 – 1987) (Posthumous)
1990	<ul style="list-style-type: none"> • Dr. Bhimrao Ramji Ambedkar (1891 – 1956) (Posthumous) • Dr. Nelson Rolihlahla Mandela

Contd....

1991	<ul style="list-style-type: none"> • Rajiv Gandhi (1944 – 1991) (Posthumous) • Sardar Vallabhai Patel (1875 – 1950) (Posthumous) • Morarji Ranchhodji Desai (1869 – 1995)
1992	<ul style="list-style-type: none"> • Maulana Abdul Kalam Azad (1888 – 1958) (Posthumous) • Jahangir Ratanji Dadabhai Tata (1904 – 1993) • Satyajit Ray (1922 – 1992)
1997	<ul style="list-style-type: none"> • Aruna Asaf Ali (1909 – 1996) (Posthumous) • Gulzari Lal Nanda (1898 – 1997) (Posthumous) • Dr. Avul Pakir Jainulabdeen Abdul Kalam (1931 –)
1998	<ul style="list-style-type: none"> • Smt. Madurai Shanmukhavadiyu Subbalakshmi (1916 –) • Chidambaram Subramaniam (1910 – 2000)
1999	<ul style="list-style-type: none"> • Loknayak Jayaprakash Narayan (1902 – 1979) (Posthumous) • Prof. Amartya Sen (1933 –) • Lokpriya Gopinath Bordoloi (1890 – 1950) (Posthumous) • Pandit Ravishankar (1920 –)
2001	<ul style="list-style-type: none"> • Smt. Lata Mangeshkar (1929 –) • Bismillah Khan (1916 –)

Parliament House, New Delhi

It is a massive circular edifice measuring about 170.69 meters (560 feet) in diameter and 536.33 meters (one-third a mile) in circumference. The magnificent building stands unique among the new buildings built later. The continuous open verandah on the first floor, fringed with a colonnade of 144 creamy sandstone columns, each standing 8.23 meters (27 feet), lends an unparalleled grandeur to the building. While India's new capital was designed by Sir Edward Lutyens, the Parliament House was designed by Sir Herbert Baker.

The original plan for New Delhi, prepared in 1911, had not provided for a Legislature building. A decision to build a Legislature building was taken after the First World War and after the introduction of Montague-Chelmsford reforms. The design for the structure was approved 1919 and the foundation stone was laid on 12th February, 1921 by the Duke of Connaught. The work was completed in six years by the Central Public Works Department (CPWD) under the supervision of Chief Engineers Sir Hugh Keeling and Sir Alexander Rouse. The construction cost of the project was Rs.83 lakhs. The black marble used in the columns of the Chambers of the two Houses of Parliament came from Gaya in Bihar; the white and hued marble which lines the walls of the present Library Hall came from Makrana in Rajasthan; the teak and other wooden material used for doors from Assam and Burma; and rosewood from South India. The Parliament House covers an area of six acres and has 12 gates.

The opening House ceremony of the Parliament House building was performed on 18th January, 1927 by the then Viceroy and Governor-General of India, Lord Irwin (1926–1931).

Question Hour

In the both houses of the legislatures every day the first hour is reserved for asking questions on various burning issues. It is called the 'Question Hour' session. The members of the House ask questions about the problems facing people such as social injustice, corruption and other malpractices in the administration. The questions are divided into three parts: (a) The Starred Questions, (b) The Unstarred Questions, and (c) The Short-notice Questions. The Starred Questions are orally answered in the House. Members can ask sub-questions. The Unstarred Questions are answered by the Ministers in writing. However, this period is restricted to one hour only.

Zero Hour

It refers to the left over time after the Question hour in Parliament. This is about 12 Noon which is why it is called Zero Hour. During this hour, the members can raise matters of great importance without prior notice. The duration is anything between five and fifteen minutes.

Indian Defence

- ▶ *The President:* He is the supreme Commander of all defence forces. He is the Commander-in-Chief of all three armed forces – Army, Navy and Air Force.
- ▶ *The Political Affairs Committee*
- ▶ *The Defence Minister:* He coordinates the functioning of the armed forces.
- ▶ *The Chiefs of Staff of the three forces:* (Headquarters: New Delhi)
 - The Army – General
 - The Navy – Admiral
 - The Air force – Air Chief Marshall
- ▶ *Indian Army:*
 - Three divisions – The Land Army, The Artillery and The Tanks
 - Training Centers – Armed Forces Medical College, Pune; Institute of Armament Technology, Pune; Artillery School, Nasik; Military Engineering College, Pune, Para Training School, Agra; Army Training School, Hyderabad; Armed Training School, Ahmednagar; and Signal Training School, Mahu
- ▶ *Indian Navy:*
 - Four divisions – The Submarine, The Naval Planning, The Naval Training and The Naval Supplies
 - Training Centers – Submarine Training Center, Vizag; Naval Administrative Training Center, Mumbai; Naval Artillery Training Center, Cochin; Naval Communication Center, Cochin; Naval Engineering Training Center, Pune; and Naval Electrical Engineering Training Center, Jamnagar (Gujarat)

► *Indian Air Force:*

- Training Centers – Air Force Medical Training Center, Bangalore; Air Force Administrative Training Center, Coimbatore

THE INDIAN ARMED FORCES
THE PRESIDENT (SUPREME COMMANDER OF THE THREE FORCES)

The Army	The Navy	The Air Force
• Field Marshal	• Admiral of the Fleet	• Marshal of the Air Force
• General	• Admiral	• Air Chief Marshal
• Lieutenant General	• Vice Admiral	• Air Marshal
• Major General	• Rear Admiral	• Air Vice Marshal
• Brigadier	• Commodore	• Air Commodore
• Colonel	• Captain	• Group Captain
• Lieutenant Colonel	• Commander	• Wing Commander
• Major	• Lieutenant Commander	• Squadron Leader
• Captain	• Lieutenant	• Flight Lieutenant
• Lieutenant	• Sub-Lieutenant	• Flying Officer
• Second Lieutenant	• Rear Lieutenant	• Pilot Officer

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