

Corrigendum Test 4

2 changes in Today's paper (Q.20 and Q. 44)

In Q. 20, there is an issue with Context of the Question. Rather than judicial power, it should have mentioned judicial power or function. For future references:

Q.) Which among the following is **not** a judicial function performed of the President?

- a) He appoints the Chief Justice and the judges of Supreme Court and high courts.
- b) He can seek advice from the Supreme Court on any question of law.
- c) He decides on questions as to disqualifications of members of the Parliament.
- d) He can grant pardon to the death sentence of any person.

Ans) c

Exp) Option c is correct

The judicial powers and functions of the President are:

Statement a is correct. He **appoints the Chief Justice and the judges of Supreme Court** and high courts. It is a judicial function of the President.

Statement b is correct. He can **seek advice from the Supreme Court** on any question of law or fact. However, the advice tendered by the Supreme Court is not binding on the President.

Statement d is correct. He **can grant pardon, reprieve**, respite and remission of punishment, or suspend, remit or commute the sentence of any person convicted of any offence. The President of India can grant pardons and reprieves from punishment, primarily to rectify judicial errors. **It is a judicial function which is performed by executive independent of Judiciary thus an executive power.**

Statement c is incorrect. President deciding on **questions as to disqualifications of members of the Parliament**, in consultation with the Election Commission is the **legislative power** of President.

Source: Laxmikanth Indian polity 6th edition page 409-411 (Pdf)

In Q.44 answer given was option b, but correct answer is Option c.

Q.) Consider the following statements:

- 1. The first municipal corporation in India was set up at Calcutta.
 - 2. Lord Mayo's Resolution of 1870 laid emphasis on financial decentralization.
 - 3. Local self-government became a provincial subject under the Government of India Act of 1919.
- Which of the statements given above is/are correct?

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

Ans) c

Exp) Option c is correct.

Statement 1 is incorrect. The institutions of urban local government originated and developed in modern India during the period of British rule. In 1687-88, the first municipal corporation in India was set up **at Madras**. In 1726, the municipal corporations were set up in Bombay and Calcutta.

Statement 2 is correct. **Lord Mayo's Resolution of 1870 on financial decentralisation** visualised the development of local self-government institutions. Lord Ripon's Resolution of 1882 has been hailed as the 'Magna Carta' of local self-government. He is called as the father of local-self-government in India.

Statement 3 is correct. Government of India Act 1919 separated provincial and central subjects. It further divided the provincial subjects into two parts- transferred and reserved. Local Self-government became a transferred subject. Thus, Local self-government became a provincial subject under the Government of India Act 1919.

Source: Laxmikanth Chapter 39 Municipalities pg no 727

In Q.3 student raised a doubt: Under Social Entrepreneurship Programme 2.0--

Eligible candidates will get full financial support to launch the product in the market.

It is an incorrect statement.

Explanation: Support to eligible candidates are provided at different stages but nowhere the programme has **provision for full financial support** to launch the product in the market. Full financial support is a bit **extreme statement** and students are requested to be vigilant regarding such statements. However, full support were provided by the government, it would have been explicitly mentioned in the features of the programme as well.

In Q.8 student raised a doubt regarding Presidential impeachment: Statement mentioned was: Members of both the house of Parliament take part in the investigation of the charges.

It is an incorrect statement.

Explanation: The impeachment proceedings can be initiated by either house of the Parliament and after it has been passed by majority of 2/3rd of the total members of that house, it is sent to the other house which investigates the charges separately. There is no common investigation by members of both the houses of the Parliament.

In Q.23 a doubt was raised regarding ward committees. - Ward Committees can oversee the spending of funds granted to their respective wards.

It is a correct statement.

Explanation: 74th Amendment act empowers the States not only to set up the ward committees but also decide on the powers, functions and finances to be delegated to them. Thus, a number of ward committees have been provided with the power to oversee the spending of funds as well. Also kindly refer the attached source.

Source: <https://www.thehindu.com/news/cities/bangalore/ward-committees-in-name-alone/article24534866.ece>

In Q.25 student raised a doubt- Council of Ministers are responsible to the Parliament.

It is an incorrect statement.

Explanation: In the context of India, where it is mentioned that Council of ministers are responsible to House of People. Thus, the statement is incorrect. In Test 3 Q.2, it was with respect to Features of Parliamentary Government in general, where Collective responsibility which is the bedrock principle of Parliamentary government. Under collective Responsibility ministers are responsible to the Parliament in general and Lok Sabha in particular.

In Q.30 student raised a doubt- National Strategy for Financial Education has been prepared by the Reserve Bank of India (RBI).

It is an incorrect statement.

Explanation: It is not prepared by RBI, but National Centre for Financial Education, which is a nonprofit organization formed by multiple regulators. Though RBI was consulted while preparing the document along with a number of other financial regulators.

In Q.31 student raised a doubt- Lieutenant Governor's opinion must be obtained before the Government takes any executive action in the NCT of Delhi.

It is a correct statement.

Explanation: It is the Lieutenant Governor who is going to decide in which actions his opinion must be taken before taking any executive action. Thus, it could be interpreted as for any executive action Lieutenant Governor's decision will be needed. However, this statement could have been framed better.

In Q.33 student raised a doubt on probationary officers- Probationary officers in public sector banks will be recruited through exam conducted by National Recruitment agency.

It is an incorrect statement.

Explanation: It is still being conducted separately and there is a proposal for it to be conducted by National Recruitment Agency. It is still being conducted by IBPS.

In Q.43 student raised 2 doubts- 1) A Governor cannot summon the House of a state legislature without the aid and advice of the Cabinet.

It is an incorrect statement.

2) The actions of the Governor, when using his discretionary powers cannot be challenged in a Court of Law.

It is an incorrect statement

Explanation 1): Governor can summon the house on the aid and advice of the Council of Ministers (Article 174 read with Article 163 of the Constitution of India) eg. According to Supreme Court judgement Nabam Rebia and Bamang Felix vs Deputy Speaker case (Arunachal Pradesh

assembly case 2016) said that the power to summon the House is not solely vested in the Governor and should be exercised with aid and advice of Council of ministers and not at his own. Thus, the statement is incorrect.

Explanation 2): In the same case (Arunachal Pradesh assembly case 2016) Supreme court said the discretionary exercised beyond a Governor's jurisdictional authority would certainly be subject to judicial review.

In Q.48 student raised a doubt- Four-fifth of District Planning Committee members are derived from the members of district Panchayats and Municipalities.

It is a correct statement.

Explanation: The statement says $4/5^{\text{th}}$ members are derived from the members of district Panchayats and municipalities. It means Four-fifth members of the committee will be from district Panchayats and Municipalities. It does not say that $4/5^{\text{th}}$ members will be elected by all the members of district panchayats and municipalities.