

Q.1) With reference to states reorganization in India, arrange the following mentioned States/Union Territories (UTs) in the chronological order of their formation:

1. Sikkim
2. Himachal Pradesh
3. Manipur
4. Mizoram

Select the correct answer using the code given below:

- a) 1-2-3-4
- b) 2-3-1-4
- c) 3-4-1-2
- d) 4-2-3-1

Ans) b

Exp) Option b is correct.

The correct chronological order of formation of the given States/Union territories (UTs) is: Himachal Pradesh- Manipur- Sikkim- Mizoram.

Himachal Pradesh: It was created as a UT through the State Reorganization Act, 1956. In 1966, hill areas of State of Haryana were merged with the adjoining UT of HP. In 1971, HP was created as the 18th State of Union of India.

Manipur: In 1972, Manipur was elevated from UT to the statehood level (19th State of India).

Sikkim: It was conferred the status of 'associate state' of India in 1974 through 35th Constitutional Amendment Act, 1974. But in 1975, it was incorporated as the full-fledged state through 36th Constitutional Amendment Act, 1974, and became 22nd State of India.

Mizoram: In 1987, it came into being as the 23rd State of India followed by Arunachala Pradesh (24th) and Goa (25th).
Knowledge Base:

Fazl Ali Commission was a States Reorganisation Commission (SRC) constituted by the Central Government of India on 22 December 1953 to recommend the reorganisation of state boundaries. The Commission submitted its report on 30 September 1955, with the following recommendations:

- 1) The Commission suggested the abolition of four-fold classification of states under the original constitution (Part-A, B, C and D).
- 2) It recommended creation of 16 states and 3 UTs which included Andaman & Nicobar, Delhi and Manipur. It stated that the other Part-C/D territories should be merged with the adjoining states.

However, the States Reorganization Act, 1956 led to creation of 14 states and 6 UTs in November, 1956, which included Delhi, A&N Islands, Himachal Pradesh, "Laccadive, Minicoy, and Amindivi Islands", Manipur and Tripura.

Source: Laxmikanth, Union and its Territory, Chapter 5, Page 5.3

https://en.wikipedia.org/wiki/States_Reorganisation_Commission#SRC_report

Q.2) With reference to the territorial extent of Parliament and state legislatures, consider the following statements:

1. The Parliament of India can make laws for the whole or any part of the territory of India.
2. The laws made by state legislatures are not applicable to any person residing outside the territorial limit of the state in any case.
3. The laws made by state legislatures can be made applicable to Indian Citizens and their property in any part of the world.

Which of the statements given above is/are *incorrect*?

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

Ans) b

Exp) Option b is correct.

Statement 1 is correct: The Parliament of India can **make laws for the whole or any part of the territory** of India. The territory of India may include the states, the union territories, and any other area for time being included in the territory of India.

Statement 2 is incorrect: The laws made by the state legislature are not applicable outside the state, **except when there is a sufficient nexus between the states and the object.** e.g., Criminal Laws of Haryana will be applicable on a person who is a resident of other state, but committed crime within the territorial jurisdiction of Haryana.

Statement 3 is incorrect: Parliament alone can make 'extra-terrestrial legislation'. The laws of parliament are also applicable to the Indian Citizens and their property in any part of the world.

Source: M Laxmikanth, Chapter 14, Legislative Relations, Territorial Extent of Central and State Legislation (Page 14.1 and 14.2)

Q.3) The Parliament of India acquires the power to legislate on any item in the State List in the national interest if a resolution to that effect is passed by the

- Lok Sabha by a simple majority of its total membership.
- Lok Sabha by a majority of not less than two-thirds of its total membership.
- Rajya Sabha by a simple majority of its total membership.
- Rajya Sabha by a majority of not less than two-thirds of its members present and voting.

Ans) d

Exp) Option d is correct.

Article 249 of the Constitution of India deals with the power of the Parliament to legislate with respect to a matter in the State List in national interest. It requires **Rajya Sabha** to pass a resolution supported by not less than **two-thirds** of the members present and voting.

If the Rajya Sabha declares that it is necessary in the national interest that Parliament should make laws with respect to goods and services tax or a matter in the State List, then the Parliament becomes competent to make laws on that matter. Such a resolution must be supported by two-thirds of the members present and voting. The resolution remains **in force for one year**; it can be renewed any number of times but not exceeding one year at a time. The laws cease to have effect on the expiration of six months after the resolution has ceased to be in force. This provision does not restrict the power of a state legislature to make laws on the same matter. But, in case of inconsistency between a state law and a parliamentary law, the latter is to prevail.

Source) M Laxmikanth,

Q.4) Consider the following statements: -

- The President of India can repeal or amend any act of Parliament in relation to Andaman and Nicobar and Lakshadweep.
- The governor of a state is empowered to direct that an act of Parliament does not apply to a scheduled area in the state.

Which of the statements given above is/are correct?

- 1 only
- 2 only
- Both 1 and 2
- Neither 1 nor 2

Ans) c

Exp) Option c is correct.

Statement 1 is correct: The President can make regulations for the peace, progress and good government of the five Union Territories which includes the Andaman and Nicobar Islands, Lakshadweep, Dadra and Nagar Haveli, Daman and Diu and Ladakh. A regulation so made has the same force and effect as an act of Parliament. It may also **repeal or amend any act of Parliament** in relation to these Union Territories.

Statement 2 is correct: The **Governor of a state** is empowered to direct that an **act of Parliament does not apply** to a scheduled area in the state or apply with specified modifications and exceptions.

Similarly, the Governor of Assam may direct that an act of Parliament does not apply to a tribal area (autonomous district) in the state or apply with specified modifications and exceptions. The President enjoys the same power with respect to tribal areas (autonomous districts) in Meghalaya, Tripura and Mizoram.

Source: Laxmikanth, Chapter 14, Centre-State Relations, page 13.6

Q.5) With reference to Inter-state water dispute, which of the following statements is/are correct?

1. An ad hoc Tribunal is set up under the provisions of the River Board Act, 1956.
2. The Tribunal is only an advisory body for the regulation and development of inter-state river valleys.

Select the correct answer using the code given below:

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

Ans) d

Exp) Option d is correct.

Statement 1 is incorrect. The Inter-State Water Disputes Act, 1956 empowers the Central government to set up an ad hoc tribunal for the adjudication of a dispute between two or more states in relation to the waters of an inter-state river or river valley.

The River Board Act, 1956 provides for the establishment of river boards.

Statement 2 is incorrect. A river board (not tribunal) is an advisory body for the regulation and development of inter-state river valleys. The decision of Tribunal is binding and final on the parties to the dispute. So, it is not merely an advisory body.

Knowledge Base: Article 262 of the Constitution provides for the adjudication of interstate water disputes. It makes two provisions:

- (1) Parliament may by law provide for the adjudication of any dispute or complaint with respect to the use, distribution and control of waters of any inter-state river and river valley.
- (2) Parliament may also provide that neither the Supreme Court nor any other court is to exercise jurisdiction in respect of any such dispute or complaint.

Under this provision, the Parliament has enacted two laws [the River Boards Act (1956) and the Inter-State Water Disputes Act (1956)].

Source: Laxmikanth Chapter-15 page- 15.1

Q.6) With reference to the Finance Commission of India, which of the following statements is correct?

- a) It encourages the inflow of foreign capital for infrastructure development
- b) It facilitates the proper distribution of finances among the Public Sector Undertakings
- c) It ensures transparency in financial administration
- d) None of the statements (a), (b) and (c) given above is correct in this context

Ans) d

Exp) Option d is correct.

Set up under Article 280 of the Constitution, the Finance Commission is a Constitutionally mandated body that is at the centre of fiscal federalism. Its core responsibility is to evaluate the state of finances of the Union and State Governments, recommend the sharing of taxes between them, lay down the principles determining the distribution of these taxes among States. Thus, **none of the statements given in above options are correct with reference to Finance Commission.**

The Finance Commission is required to make recommendations to the President of India on the following matters:

- 1) The distribution of the net proceeds of taxes to be shared between the Centre and the states, and the allocation between the states of the respective shares of such proceeds.
- 2) The principles that should govern the grants-in-aid to the states by the Centre (i.e., out of the consolidated fund of India).

3) The measures needed to augment the consolidated fund of a state to supplement the resources of the panchayats and the municipalities in the state on the basis of the recommendations made by the state finance commission.

4) Any other matter referred to it by the president in the interests of sound finance.

Source) M Laxmikanth,

Q.7) Taxes on the sale of petrol, diesel and natural gas are

- levied by the Centre but collected and appropriated by the States.
- levied and collected by the Centre but Assigned to the States.
- levied, collected and retained by the States.
- levied and collected by the Centre but distributed between the Centre and the states.

Ans) c

Exp) Option c is correct

Taxes on the sale of petroleum crude, high speed diesel, motor spirit (commonly known as petrol), natural gas, aviation turbine fuel are levied, collected and retained by the States.

Other taxes belonging to the states exclusively are as follow. They are enumerated in the state list and are 18 in number:

- land revenue;
- taxes on agricultural income;
- duties in respect of succession to agricultural land;
- estate duty in respect of agricultural land;
- taxes on lands and buildings;
- taxes on mineral rights;
- Duties of excise on alcoholic liquors for human consumption; opium, Indian hemp and other narcotic drugs and narcotics, but not including medicinal and toilet preparations containing alcohol or narcotics;
- taxes on the consumption or sale of electricity;
- taxes on the sale of alcoholic liquor for human consumption, but not including sale in the course of inter-state trade or commerce or sale in the course of international trade or commerce of such goods;
- taxes on goods and passengers carried by road or inland waterways;
- taxes on vehicles;
- taxes on animals and boats;
- tolls;
- taxes on professions, trades, callings and employments;
- capitation taxes;
- taxes on entertainments and amusements to the extent levied and collected by a Panchayat or a Municipality or a Regional Council or a District Council;
- stamp duty on documents (except those specified in the Union List); and
- fees on the matters enumerated in the State List (except court fees).

Source: <https://prcindia.org/theprsblog/petrol-and-diesel-prices>

Article 268, Constitution of India

Q.8) With reference to the GST Council, consider the following statements:

- Union Finance Minister and Chief Ministers of all states are members of the Council.
- The Council can recommend the goods and services that may be exempted from GST.
- The vote of the Central government has 50% weightage of the total votes in the Council.

Which of the statements given above is/are correct?

- 1 only
- 2 only
- 1 and 3 only
- 1, 2 and 3

Ans) b

Exp) Option b is correct

The (One Hundred and First Amendment) Act, 2016, was passed in 2016. It inserted, Article 279A, which provided for the Goods and Services Tax Council.

Statement 1 is incorrect. The GST Council is a federal body that aims to bring together states and the Centre on a common platform for the nationwide rollout of the indirect tax reform. It consists of the following members:

- 1) Union **Finance Minister**
- 2) Union Minister of State for finance
- 3) The **Minister in charge of finance** or taxation or any other Minister nominated by each **State government**, as members.

Chief Ministers of all states are not members of the Council.

Statement 2 is correct. The Council is a joint forum of the Centre and the States. It is required to make recommendations to the Centre and the States on the following matters:

- (a) The taxes, cesses and surcharges levied by the Centre, the States and the local bodies that would get merged in GST.
- (b) The **goods and services** that may be **subjected to GST or exempted** from GST.
- (c) Model GST Laws, principles of levy, apportionment of GST levied on supplies in the course of inter-state trade or commerce and the principles that govern the place of supply.
- (d) The threshold limit of turnover below which goods and services may be exempted from GST.
- (e) The rates including floor rates with bands of GST.
- (f) Any special rate or rates for a specified period to raise additional resources during any natural calamity or disaster.

Statement 3 is incorrect. As per the Constitution, in case of a voting, every decision of the GST Council has to be taken by a majority of not less than three-fourths of the weighted votes of the members present. The vote of the **central government** has a **weightage of one-third** of the total votes cast, and the votes of all the state governments taken together have a weightage of two-thirds of the total votes cast in that meeting.

Knowledge Base: Article 279, mentions, Goods and Services Tax Council shall make recommendations to the Union and the States on— -

- (a) the taxes, cesses and surcharges levied by the Union, the States and the local bodies which may be subsumed in the goods and services tax;
- (b) the goods and services that may be subjected to, or exempted from the goods and services tax;
- (c) model Goods and Services Tax Laws, principles of levy, apportionment of Goods and Services Tax levied on supplies in the course of inter-State trade or commerce under article 269A and the principles that govern the place of supply;
- (d) the threshold limit of turnover below which goods and services may be exempted from goods and services tax;
- (e) the rates including floor rates with bands of goods and services tax ;
- (f) any special rate or rates for a specified period, to raise additional resources during any natural calamity or disaster;
- (g) special provision with respect to the States of Arunachal Pradesh, Assam, Jammu and Kashmir, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, Tripura, Himachal Pradesh and Uttarakhand; and
- (h) any other matter relating to the goods and services tax, as the Council may decide.
- (i) The Goods and Services Tax Council shall recommend the date on which the goods and services tax be levied on petroleum crude, high speed diesel, motor spirit (commonly known as petrol), natural gas and aviation turbine fuel.

Source: <http://www.gstcouncil.gov.in/gst-council>

<https://indianexpress.com/article/explained/explained-voting-at-the-gst-council-6206947/>

Q.9) In India, other than ensuring that public funds are used efficiently and for the intended purpose, what is the importance of the office of the Comptroller and Auditor General (CAG)?

1. CAG exercises exchequer control on behalf of the Parliament when the President of India declares national emergency/financial emergency.

2. CAG reports on the execution of projects or programmes by the ministries which are discussed by the Public Accounts Committee.
3. Information from CAG reports can be used by investigating agencies to press charges against those who have violated the law while managing public finances.
4. While dealing with the audit and accounting of government companies, CAG has certain judicial powers for prosecuting those who violate the law.

Which of the statements given above is/are correct?

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

Ans) c

Exp) Option c is correct.

The Comptroller and Auditor General (CAG) of India is the constitutional authority, established under Article 148 of the Constitution of India.

He is empowered to Audit all receipts and expenditure of the Government of India and the State Governments, including those of autonomous bodies and corporations substantially financed by the Government.

The CAG is also the statutory auditor of Government-owned corporations and conducts supplementary audit of government companies in which the Government has an equity share of at least 51 per cent or subsidiary companies of existing government companies.

Statements 2 and 3 are correct. The reports of the CAG are laid before the Parliament/Legislatures and are being taken up for discussion by the Public Accounts Committees (PACs) and Committees on Public Undertakings (COPUs), which are special committees in the Parliament of India and the state legislatures. Also, information from CAG reports can be used by investigating agencies to press charges against those who have violated the law while managing public finances. This was seen during 2G and Commonwealth Games scams.

Statements 1 and 4 are incorrect. CAG does not exercise exchequer control on behalf of the Parliament when the President of India declares national emergency/financial emergency. The CAG does not have any judicial powers.

Source) M Laxmikanth

Q.10) When the legislatures of two or more states pass resolutions requesting the Parliament to enact laws on a matter in the State List. With reference to such laws made, consider the following statements: -

1. A law passed by the Parliament is applicable to only those states which have passed the resolution.
2. A law made by the Parliament can be repealed or amended by the Parliament as well as the states.

Which of the statements given above is/are correct?

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

Ans) a

Exp) Option a is correct.

Statement 1 is correct. Under Article 249 of the Constitution of India, when the legislature of two or more states passes resolutions requesting the parliament to enact laws on a matter in the state list, then the parliament can make laws regulating the matter. A law passed by parliament is **applicable to only those states which have passed the resolution**. However, any other state may adopt it afterwards by passing a resolution to that effect in its legislature.

Statement 2 is incorrect. States cannot amend or repeal such acts made by the Parliament. The effect of passing a resolution under the above provision is that the Parliament becomes entitled to legislate with respect to a matter for which it has no power to make a law. On the other hand, the state legislature ceases to have the power to make a law with respect to that matter. The resolution operates as abdication or surrender of the power of

the state legislature with respect to that matter and it is placed entirely in the hands of Parliament which alone can then legislate with respect to it.

Source: Laxmikanth, Chapter 14, Parliament Legislation in the state field, Page 14.3

Q.11) Consider the following statements:

1. A state while exercising its executive power must ensure compliance with the laws made by the Parliament.
2. Only the central government has the executive power of implementing a law made by the Parliament on any matter enumerated in Concurrent List.

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

Ans) a

Exp) Option a is correct

Statement 1 is correct. The executive power has been divided between the Centre and the states on the lines of the distribution of legislative powers. The Constitution has placed two restrictions on the executive power of the states in order to give ample scope to the Centre for exercising its executive power in an unrestricted manner. It says that the executive power of every state is to be exercised in such a way (a) as to **ensure compliance with the laws made by the Parliament** and any existing law which apply in the state; and (b) as not to impede or prejudice the exercise of executive power of the Centre in the state.

Statement 2 is incorrect. In respect of the matters mentioned in concurrent list, both parliament and state legislature have the power to legislate, but the executive power rests with the state except when a constitutional provision or a parliamentary law specifically confers it on Centre. Therefore, a law on a concurrent subject, though enacted by the Parliament, is to be executed by the states except when the Constitution or the Parliament has directed otherwise.

Source: M Laxmikanth, 6th edition, chapter 14

Q.12) With reference to the 'Quality Council of India (QCI)', consider the following statements:

1. QCI was set up jointly by the Government of India and the Indian Industry.
2. Chairman of QCI is appointed by the Prime Minister on the recommendations of the industry to the Government.

Which of the above statements is/are correct?

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

Ans) c

Exp) Option c is correct.

Statement 1 is correct. The Quality Council of India, an autonomous body set up by the Ministry of Commerce and Industry, **Government of India** jointly with the **Indian Industry**, represented by the three premier industry associations i.e., Associated Chambers of Commerce and Industry of India (ASSOCHAM), Confederation of Indian Industry (CII) and Federation of Indian Chambers of Commerce and Industry (FICCI). It aims to establish and operate national accreditation structure and promote quality through National Quality Campaign.

Statement 2 is correct. Chairman of QCI is a non-executive post. He is nominated by the Prime Minister of India on the recommendations of the industry.

Source) <https://www.qcin.org/>

Q.13) Which of the following is the correct meaning of "Integrated Single Judicial System of India"?

1. A single system of courts that enforces both the Central laws as well as the State laws.
2. One can appeal to a higher court when not satisfied with the judgment passed by the lower court.

3. Decision of a Higher Court is binding on the lower courts in India.

Select the correct answer using the code given below:

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

Ans) d

Exp) Option d is correct

Statement 1 is correct. The Indian Constitution has established an integrated single judicial system with the Supreme Court at the top and the state high courts below it. This single system of courts **enforces both the Central laws as well as the state laws.** This is one of the unitary features of the Indian Constitution. In US, on the other hand, there is a double system of courts whereby the federal laws are enforced by the federal judiciary and the state laws by the state judiciary.

Statements 2 and 3 are correct. In India, we have an integrated judicial system, this also means that the decisions made by higher courts are **binding on the lower courts.** Another way to understand this integration is through the appellate system that exists in India. This means that a person can **appeal to a higher court** if they believe that the judgment passed by the lower court is not just.

Source: Laxmikanth, Chapter 13

NCERT VIII, Social and political life, Chapter 5,

Q.14) Consider the following statements regarding inter-state trade and commerce?

1. Reasonable restrictions on the freedom of trade, commerce and intercourse within the state can only be imposed by the state legislature.
2. A state legislature is prohibited from imposing tax on the imported goods from the other state.
3. A state legislature can make laws which exclude certain sections of people from carrying out trade, business or service.

Which of the statements given above *is/are incorrect*?

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

Ans) a

Exp) Option a is correct.

Statement 1 is incorrect. Both the Parliament and state legislature can impose reasonable restrictions on the freedom of trade, commerce and intercourse within the state. But the bill for this can be introduced in state legislature only on the previous sanction of President.

Statement 2 is incorrect. The legislature of a state can impose on goods imported from other states or the union territories any tax to which similar goods manufactured in that state are subject. This provision prohibits the imposition of discriminatory taxes by the state.

Statement 3 is correct. Both the Parliament and state legislature are allowed to make laws which can exclude certain sections of people from carrying out trade, business, industry or service.

Source: laxmikanth Chapter-15 page- 15.4

Q.15) Which one of the following in Indian polity is an essential feature that indicates that it is federal in character?

- a) The independence of judiciary is safeguarded.
- b) The Union Legislature has elected representatives from constituent units.
- c) The Union Cabinet can have elected representatives from regional parties.
- d) The Fundamental Rights are enforceable by Courts of Law.

Ans) a

Exp) Option a is correct.

The establishment of an **independent judiciary** necessarily indicates the federal character of Indian polity. The Constitution establishes an independent judiciary headed by the Supreme Court to settle the disputes between the Centre and the states or between the states. This helps in maintaining the separate jurisdiction and authority of both the Centre and the States.

Following are the federal features of Indian Constitution:

- 1) Dual polity consisting of the Union at the Centre and the states at the periphery.
- 2) Written Constitution
- 3) Division of powers between the Centre and the states (by Schedule VII)
- 4) Supremacy of the Constitution
- 5) Rigidity of the constitution
- 6) Bicameral legislature consisting of Rajya Sabha and Lok Sabha
- 7) Independency of judiciary

Source) Laxmikant Chapter 13 (6th edition)

Q.16) Which of the following statements regarding the Election Commission of India (ECI) is/are correct?

1. The Constitution of India provides that ECI must comprise of a Chief Election Commissioner and two other Election Commissioners.
2. Chief Election Commissioner has a special veto in case of difference of opinion among the commissioners.
3. The retiring Election Commissioners are not debarred from any further appointment under the government.

Select the correct answer using the code given below:

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

Ans) b

Exp) Option b is correct.

The Election Commission is a **permanent and an independent body established by the Constitution of India** directly to ensure free and fair elections in the country. **Article 324 of the Constitution** provides that the power of superintendence, direction and control of elections to Parliament, state legislatures, the Office of President of India and the Office of Vice-President of India shall be vested in the election commission.

Statement 1 is incorrect. According to the Constitution of India, the Election Commission shall consist of the chief election commissioner and **such number of other election commissioners, if any, as the President may from time-to-time fix**. The appointment of the chief election commissioner and other election commissioners shall be made by the President.

Currently it is functioning as a three-member body since October 1993.

Statement 2 is incorrect - The chief election commissioner and the two other election commissioners **have equal powers and receive equal salary**, allowances, and other perquisites. In case of difference of opinion amongst the Chief Election Commissioner and/or two other election commissioners, **the matter is decided by the Commission by majority**. The CEC has no special vote in any case.

Statement 3 is correct - The **Constitution has not debarred** the retiring election commissioners from any further appointment by the government.

Source: M Laxmikant, Chapter 42

Q.17) With reference to the Joint State Public Service Commission (JSPSC) in India, consider the following statements:

1. The establishment of JSPSC in India was first provided by the Government of India Act, 1919.
2. No such Joint State Public Service Commissions has yet been formed in India since independence.
3. The JSPSC submits its report to the President who then sends it to respective Governors.
4. A JSPSC can be created only by an Act of Parliament and not by state legislatures.

Which of the above statements is/are correct?

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

Ans) b

Exp) Option b is correct.

The Constitution of India makes a provision for the establishment of a Joint State Public Service Commission (JSPSC) for two or more states. While the UPSC and the SPSC are created directly by the Constitution, a JSPSC can be created by an act of Parliament on the request of the state legislatures concerned.

Statement 1 is incorrect. The establishment of JSPSC in India was first provided by the Government of India Act, 1935. **The Government of India Act of 1935** provided for the establishment of not only a Federal Public Service Commission but also a Provincial Public Service Commission and Joint Public Service Commission for two or more provinces. The 1919 Act provided for the establishment of a Central Public Service Commission.

Statement 2 is incorrect – After the bifurcation of Punjab into Punjab and Haryana in 1966, a Joint State Public Service Commission was **created for a short period for the two states of Punjab and Haryana**. Since then, no such body has been established.

Statement 3 is incorrect - A JSPSC presents its **annual performance report to each of the concerned state governors**. Each governor places the report before the state legislature.

Statement 4 is correct. The Constitution makes a provision for the establishment of a Joint State Public Service Commission (JSPSC) for two or more states. A JSPSC is **not directly created by state legislatures. It can only be created by an act of Parliament** on the request of the state legislatures concerned. Thus, a JSPSC is **a statutory and not a constitutional body**.

Source: M Laxmikanth, Chapter 43

Q.18) Which one of the following best defines the term 'State'?

- a) A community of persons permanently occupying a definite territory independent of external control and possessing an organized government.
- b) A politically organized people of a definite territory and possessing an authority to govern them, maintain law and order, protect their natural rights and safeguard their means of sustenance.
- c) A number of persons who have been living in a definite territory for a very long time with their own culture, tradition and government.
- d) A society permanently living in a definite territory with a central authority, an executive responsible to the central authority and an independent judiciary.

Ans) a

Exp) Option a is correct.

State is “a community of persons **permanently occupying** a definite portion of territory, **independent of external control**, and possessing an **organized government**”

According to Max Weber, a State is a human community that (successfully) claims the monopoly of the legitimate use of physical force within a given territory.

The state possesses a government which has the authority to enforce a system of rules over the people living inside it. That system of rules is commonly composed of a constitution, statutes, regulations, and common law. It is independent of external control.

Its main functions can be maintaining law, order and stability, resolving various kinds of disputes through the legal system, providing common defence. It also looks out for the welfare of the population in ways that are beyond the means of the individual, such as implementing public health measures, providing mass education and underwriting expensive medical research.

Source) <https://nios.ac.in/media/documents/srsec317newE/317EL2.pdf>

[https://jyotinivas.org/pdf/e_content/sociology/1st%20year%20unit-05%20\(on%20state%20\).pdf](https://jyotinivas.org/pdf/e_content/sociology/1st%20year%20unit-05%20(on%20state%20).pdf)

Q.19) Which of the following are the functions of the Finance Commission?

1. It ascertains and certifies the net proceeds of any tax of the Union Government.
2. It provides for the horizontal and vertical distribution of the net proceeds of taxes between Centre and the states.
3. It not only gives the recommendations but also executes them to the best of practice.
4. It plays a role in the augmentation of the resources of the Panchayati Raj Institutions.

Select the correct answer using the code given below:

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

Ans) b

Exp) Option b is correct.

The Constitution of India, under Article 280, provides for a Finance Commission as a quasi-judicial body. It is constituted by the President of India every fifth year or at such earlier time as he considers necessary.

Statement 1 is incorrect – This is a function of the **Comptroller and Auditor General of India**. According to article 279 of the Constitution of India, it is the **duty of the Comptroller and Auditor General of India** to ascertain and certify the net proceeds of any tax or duty.

Statement 2 is correct – The Finance Commission is required to make recommendations to the President of India regarding the **distribution of the net proceeds of taxes to be shared between the Centre and the states**, and the allocation between the states of the respective shares of such proceeds. It also provides for the principles that should govern the grants-in-aid to the states by the Centre (i.e., out of the Consolidated Fund of India).

Statement 3 is incorrect – The recommendations made by the Finance Commission are only of advisory nature and hence, not binding on the government. It is **up to the Union government to implement its** recommendations on granting money to the states. The commission has **no** executive functions.

Statement 4 is correct – Finance commission also provides for the measures needed to augment the consolidated fund of a state to **supplement the resources of the panchayats** and the municipalities in the state based on the recommendations made by the state finance commission.

Source: M Laxmikanth, Chapter 45

Q.20) With reference to the National Commission for Backward Classes, consider the following statements:

1. The 103rd Constitutional Amendment Act of 2018 conferred a constitutional status to the Commission.
2. The Central government is required to consult the Commission on major policy matters affecting the socially and educationally backward classes.
3. States cannot prepare their own list of socially and educationally backward classes without the permission of the Commission.

Which of the statements given above is/are correct?

- a) 2 only
- b) 1 and 2 only
- c) 2 and 3 only
- d) None of the above

Ans) a

Exp) Option a is correct.

The National Commission for Backward Classes (NCBC) was set up in 1993. The commission looks into matters of safeguards of the socially and educationally backward classes.

Statement 1 is incorrect. In the Mandal case judgement (1992), the Supreme Court directed the central government to constitute a permanent statutory body to examine the complaints of under inclusion, overinclusion or non-inclusion of any class of citizens in the list of backward classes. Accordingly, the National Commission for Backward Classes (NCBC) was set up in 1993. Later, the **102nd Amendment Act of 2018 conferred**

a constitutional status on the Commission. For this purpose, the amendment inserted a new Article 338-B in the constitution.

Statement 2 is correct and Statement 3 is incorrect. Article 338B of the Constitution mandates the central and state governments to consult the NCBC on all major policy matters affecting the socially and educationally backward classes. The 105th Constitutional Amendment exempts states and union territories from this requirement for matters related to preparation of their list of socially and educationally backward classes.

The 105th Constitutional Amendment enables states and union territories to prepare their own list of socially and educationally backward classes. This list must be made by law.

Source: M Laxmikanth, Chapter 47

<https://economictimes.indiatimes.com/news/politics-and-nation/rohini-commission-set-to-get-nod-for-its-ninth-extension/articleshow/76544439.cms>

<https://economictimes.indiatimes.com/news/india/president-ram-nath-kovind-grants-assent-to-obc-bill/articleshow/85480458.cms?from=mdr>

Q.21) Which one of the following factors constitutes the best safeguard of liberty in a liberal democracy?

- A committed judiciary
- Centralization of powers
- Elected government
- Separation of powers

Ans) d

Exp) Option d is correct.

The Separation of powers between the legislature, the executive and the judiciary constitute an important safeguard of liberty in a liberal democracy. The doctrine of Separation of powers entails the division of the legislative, executive, and judicial functions of government among different organs. This separation **minimizes the possibility of arbitrary excesses by the government**, since all the three organs act as check and balance on the powers of each other. Therefore, none of the three organs can usurp the essential functions of other organs.

This demarcation prevents the concentration of excessive power by any branch of the Government. It thus helps to safeguard the liberty and rights of the people in a democracy.

Source) Laxmikant Chapter 7 and 11

https://www.cusb.ac.in/images/cusb-files/2020/el/law/w2/Separation_of_Powers1_iv_semester.pdf

Q.22) The Controller General of Accounts (CGA) and the Comptroller and Auditor General of India (CAG) are the bodies dealing with financial accounts in India. How are the two bodies different from each other?

- The accounting functions of state governments are performed by CGA whereas the accounts of the Union Government are compiled by CAG.
- While CGA is a statutory body, the CAG is a constitutional body.
- CAG audits the finances of the Government whereas CGA is the accounting adviser to the Government.

Select the correct answer using the code given below:

- 1 and 3 only
- 2 and 3 only
- 1 and 2 only
- 3 only

Ans) d

Exp) Option d is correct

Statement 1 is incorrect. In the year 1976, auditing was differentiated from accounting in India. The accounting functions of Comptroller and Auditor General of India (CAG) were taken away in the case of the Central Government and handed over to the Controller General of Accounts (CGA). Accounts of the States continue to be compiled by the CAG.

Statement 2 is incorrect. CGA works under Department of Expenditure, Ministry of Finance. It is a non-constitutional, non-statutory body. The CAG, however is a constitutional body under Article 148.

Statement 3 is correct. CAG audits the government's finances whereas CGA is the Principal Accounting Adviser to the Government of India. CGA is responsible for establishing and maintaining a technically sound Management Accounting System. The Office of CGA prepares monthly and annual analysis of expenditure, revenues, borrowings and various fiscal indicators for the Union Government.

Source: M Laxmikanth, Chapter 51

Q.23) With reference to the Attorney General of India, consider the following statements:

1. The term of his/her office is fixed at five years by the Constitution itself.
2. She/He enjoys all the privileges and immunities that are available to a Member of Parliament.
3. She/He is debarred from private practice while she/he is working for the Government.
4. Unlike Advocate General of a state, a person who is an 'eminent jurist' in the opinion of the President can be appointed as Attorney General.

Which of the statements given above is/are correct?

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

Ans) a

Exp) Option a is correct

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

Statement 1 is incorrect - The term of office of the AG is not fixed by the Constitution. Further, the Constitution does not contain the procedure and grounds for his removal. He holds office during the pleasure of the President. This means that he may be removed by the President at any time. He may also quit his office by submitting his resignation to the president. Conventionally, he resigns when the government (council of ministers) resigns or is replaced, as he is appointed on its advice. Conventionally however the term of office is three years.

Statement 2 is correct - There has been several privileges given to him for smooth functioning. He enjoys right of audience in all courts in territory of India. Also, he has right to speak and take part in the proceedings of both the houses or joint sitting or any committee but without a right to vote. Also, he enjoys all the privileges and immunities available to the Member of Parliament.

Statement 3 is incorrect. Attorney General is not a fulltime counsel for the Government. He does not fall in the category of government servants thus he is not debarred from private legal practice.

Statement 4 is correct. A person who is an 'eminent jurist' in the opinion of the President can be appointed as an Attorney General but not as an advocate general of a state.

Qualifications for Attorney general are -

- 1) He should be qualified for appointment of Supreme court judge. In other words, he must be a citizen of India and he must have been a judge of some high court for five years or an advocate of some high court for ten years or an eminent jurist, in the opinion of the president.

Qualification for advocate general is-

- 1) He must be a person who is qualified to be appointed a judge of a high court. In other words, he must be a citizen of India and must have held a judicial office for ten years or been an advocate of a high court for ten years.

Source: M Laxmikanth, Chapter 52

Q.24) With reference to the Constitution of India, prohibitions or limitations or provisions contained in ordinary laws cannot act as prohibitions or limitations on the constitutional powers under Article 142. It could mean which one of the following?

- a) The decisions taken by the Election Commission of India while discharging its duties cannot be challenged in any court of law.

- b) The Supreme Court of India is not constrained in the exercise of its powers by laws made by the Parliament.
 c) In the event of grave financial crisis in the country, the President of India can declare Financial Emergency without the counsel from the Cabinet.
 d) State Legislatures cannot make laws on certain matters without the concurrence of Union Legislature.

Ans) b

Exp) Option b is correct.

Article 142 of Constitution of India deals with Enforcement of decrees and orders of the Supreme Court. It states that the Apex Court in the exercise of its jurisdiction may pass such decree or make such order as is necessary for doing “**complete justice**” in any case pending before it. Such orders of the Supreme Court are enforceable throughout the territory of India as prescribed by any law made by Parliament or order of the President of India. Article 142 enables superseding the executive and the legislative. Thus, the Supreme Court of India is not constrained in the exercise of its powers by laws made by the Parliament. From Article 142, the Supreme Court derives overarching powers to perform the functions of Executive and legislative in order to bring about complete **justice**.

Source) <https://indianexpress.com/article/explained/ayodhya-ram-temple-babri-masjid-article-142-supreme-court-6111920/> ,

Q.25) The NITI Aayog was constituted replacing the Planning Commission. Consider the following statements regarding the differences between the two bodies:

1. States were more likely to be treated as equal partners vis-a-vis the Centre in Planning Commission than in NITI Aayog.
2. Whereas NITI Aayog boosts only competitive federalism, Planning Commission promoted both cooperative and competitive federalism.
3. Both the Planning Commission and NITI Aayog were provided with powers to allocate funds to states.

Which of the statements given above are correct?

- a) 1 and 3 only
- b) 2 and 3 only
- c) 1 and 2 only
- d) None of the above

Ans) d

Exp) Option d is correct

Statement 1 is incorrect – States are treated as equal partners in NITI Aayog. They are **part of the governing council of the NITI Aayog and have equal say in strategizing the development**. There are also regional councils for specific terms to address any particular issue concerning few or more states. However, in case of Planning Commission, States were more as a mute spectators and role was restricted to National Development Council and Annual interaction during Plan Meetings.

Statement 2 is incorrect - In a paradigmatic shift from the command-and-control approach of the past, **NITI Aayog accommodates diverse points of view in a collaborative, rather than confrontationist, setting**. In the spirit of federalism, NITI's own policy thinking too is shaped by a ‘bottom-up’ approach rather than a ‘top-down’ model. NITI Aayog hence is promoting both cooperative and competitive federalism by publishing indexes for the states. Planning Commission however was more of one-way setting and more unitary in nature.

Statement 3 is incorrect. The powers for allocation of funds have **not been given to the NITI Aayog**. The powers are with the Finance Ministry. Whereas, **the Planning Commission had the power to allocate funds to the State Governments** and various Central Government Ministries for various programmes and projects at National and State Levels.

Knowledge Base:

NITI Aayog	Planning Commission
Chairperson: Prime minister	Chairperson: Prime minister
Vice-chairperson: To be appointed by the PM	Deputy Chairman: Nominated by PM; to have Cabinet rank
Governing Council: Chief ministers (CMs) and lieutenant governors (L-Gs)	National Development Council (NDC): Created by an order of Planning Commission, which calls the council; has CMs and L-G and is responsible for framing five-year Plans
Regional councils: To be set up to address specific issues for specified tenures; to comprise CMs and L-Gs	
Part-time members: Experts from relevant institutions in ex-officio capacity (maximum two, on a rotational basis)	Eight full-time members: Usually subject expert; appointed as minister of state; also people from outside government
Ex-officio members: Union ministers to be nominated by the PM (maximum 4)	10 Cabinet ministers, including Planning Minister
CEO: To be appointed by the PM in the rank of secretary for a fixed tenure	Member secretary/ Secretary
Secretariat: As deemed necessary	Planning Commission of India
Special invitees: Experts, specialists and practitioners with relevant domain knowledge; nominated by PM	

Sources: Planning Commission & PIB

Source: M Laxmikanth, Chapter 53

Q.26) Which of the following statements is/are correct regarding the National Investigation Agency (NIA)?

1. The NIA can investigate a terror case in a state only after getting permission from the concerned state government.
2. It has the authority to investigate offences that are committed outside Indian territory.
3. The agency can investigate offences related to Cyber terrorism.

Select the correct answer using the code given below:

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

Ans) b

Exp) Option b is correct.

Statement 1 is incorrect: The National Investigation Agency (NIA) is the central counter-terrorism law enforcement agency in the country. It was created in 2008 after the Mumbai terror attack. It can investigate terror cases across the country **without** having to get **permission from the states**.

Statement 2 is correct: The NIA (Amendment) Act 2019 expands the jurisdiction of the NIA. Now, it has the authority to **investigate scheduled offences that are committed outside** Indian territory subject to international treaties and domestic laws of other nations.

Statement 3 is correct: The NIA (Amendment) Act 2019 allows the agency to investigate the following new offences, these are - Human trafficking; Counterfeit currency or bank notes related offences; Sale or manufacture of prohibited arms; Offences under the Explosive Substances Act, 1908; and **Cyber terrorism**.

Knowledge Base:

- 1) The National Investigation Agency (NIA) was constituted in 2009 under the provisions of the National Investigation Agency Act, 2008 (NIA Act). It is the central counter-terrorism law enforcement agency in the country.
- 2) The headquarters of the NIA is at New Delhi.

- 3) The NIA is headed by a Director-General. He is appointed by the central government. His powers are similar to the powers exercisable by a Director-General of Police in respect of the police force in a state.
- 4) The NIA works under the administrative control of the Ministry of Home Affairs, Government of India.
- 5) The state government extends all assistance and co-operation to the NIA for investigation of the offences specified under the NIA Act.

Source: M Laxmikanth, Chapter 54

<https://indianexpress.com/article/explained/explained-what-is-the-nia-act-and-why-is-chhattisgarh-challenging-it-6219106>

Q.27) Which one of the following suggested that the Governor should be an eminent person from outside the State and should be a detached figure without intense political links or should not have taken part in politics in the recent past?

- a) First Administrative Reforms Commission (1966)
- b) Rajamannar Committee (1969)
- c) Sarkaria Commission (1983)
- d) National Commission to Review the Working of the Constitution (2000)

Ans) c

Exp) Option c is correct.

Sarkaria Commission was constituted by the Government of India in 1983 to look after the situation on various matters, the most important being centre-state relations. The important recommendation of the Sarkaria Commission were -

- 1) Setting up a permanent inter-state council
- 2) Article 356 should be used sparingly
- 3) Institution of all-India service should be strengthened
- 4) Residuary power should remain with the parliament
- 5) Reasons should be communicated to the state when state bills are vetoed by the President
- 6) Centre should have powers to deploy its armed forces, even without the consent of states. However, it is desirable that the states should be consulted
- 7) Procedure of consulting the chief minister in the appointment of the state governor should be prescribed in the constitution itself
- 8) The Governor should be an eminent person from outside the State
- 9) Governor should be a detached figure without political links or should not have taken part in politics in the recent past
- 10) Governors should be allowed to complete their term of five years
- 11) Commissioner for linguistic minorities should be activated

Source) M Laxmikanth,

Q.28) Regarding the Central Bureau of Investigation (CBI), consider the following statements:

1. It is a statutory organisation set up under the Delhi Special Police Establishment Act, 1946.
2. It works under the administrative control of the Ministry of Home Affairs.
3. The Director of CBI is appointed by President with due consultation with Chief Justice of India.

Which of the statements given above is/are correct?

- a) 1 and 2 only
- b) 2 and 3 only
- c) 1 and 3 only
- d) None of the above

Ans) d

Exp) Option d is correct.

Statement 1 is incorrect. The establishment of the Central Bureau of Investigation (CBI) was recommended by the Santhanam Committee on Prevention of Corruption (1962-1964). The CBI is **not a statutory body**. It derives its powers from the Delhi Special Police Establishment Act, 1946.

Statement 2 is incorrect. Central Bureau of Investigation (CBI) was set up in 1963 by a resolution of the Ministry of Home Affairs. Later, it was **transferred to the Ministry of Personnel and now it enjoys the status of an attached office.** The Special Police Establishment (which looked into vigilance cases) setup in 1941 was also merged with the CBI.

Statement 3 is incorrect. The Lokpal and Lokayuktas Act (2013) amended the Delhi Special Police Establishment Act (1946) and made the following changes with respect to the composition of the CBI:

The Central Government shall appoint the Director of CBI on the recommendation of a three-member committee consisting of the Prime Minister as Chairperson, the Leader of Opposition in the Lok Sabha and the Chief Justice of India or Judge of the Supreme Court nominated by him. Thus, the Director of CBI is not appointed by President.

Knowledge Base:

The CBI acts as the “National Central Bureau” of Interpol in India. The Interpol Wing of the CBI coordinates requests for investigation-related activities originating from Indian law enforcement agencies and the member countries of the Interpol.

Source: M Laxmikanth, Chapter 54

Q.29) With reference to the Central Information Commission, consider the following statements:

1. The salary of the Chief Information Commissioner must be equal to that of the Chief Election Commissioner.
2. It can order suo-moto inquiry into any matter if there are reasonable grounds.
3. It can impose penalty on a public information officer if he refuses to furnish information.

Which of the statements given above is/are correct?

- a) 1 and 3 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 Right to Information (Amendment) Act, 2019 amended the Right to Information Act, 2005. The 2005 Act provides that the salary of the CIC and ICs (at the central level) will be equivalent to the salary paid to the Chief Election Commissioner and Election Commissioners. But the amended act provides that the salary of both Chief Information Commissioner and Information Commissioner is to be **determined by the Central Government.**

Statement 2 is correct. It is the duty of the Commission to receive and inquire into a complaint from any person. However apart from this, **it can suo-moto order enquiry into any matter** if there are reasonable grounds.

Statement 3 is correct. CIC can impose penalty on PIO (Public information officer) if he refused to furnish information within the specified time. It can **also recommend disciplinary action against the errant official.**

Source: M Laxmikanth, Chapter 57

Q.30) If the President of India exercises his power as provided under Article 356 of the Constitution in respect of a particular state, then

- a) the Assembly of the State is automatically dissolved.
- b) the powers of the Legislature of that state shall be exercisable by or under the authority of the Parliament.
- c) Article 19 is suspended in that State.
- d) the President can make laws relating to that state.

Ans) b

Exp) Option b is correct.

Emergency Provisions are included in part XVIII from articles 352 to 360 in the Constitution for dealing with extraordinary situations that may threaten the peace, security, stability and governance of the country or a part thereof.

According to the Constitution it is the duty of the Union Government to ensure that governance of a State is carried on in accordance with the provisions of the Constitution. Under Article 356, the President may issue a

proclamation to impose emergency in a state if he is satisfied on receipt of a report from the Governor of the concerned State, or otherwise, that a situation has arisen under which the administration of the state cannot be carried on according to the provisions of the constitution. In such a situation, proclamation of emergency by the President is on account of the failure (or breakdown) of constitutional machinery. Thus, it is known as “President’s Rule” or “State Emergency” or “Constitutional Emergency”.

Effects of Imposition of President’s Rule in a state

- The President can assume to himself all or any of the functions of the state government or he may vest all or any of those functions with the Governor or any other executive authority.
- The President may dissolve the State Legislative Assembly or put it under suspension. He may authorize the **Parliament to make laws** on behalf of the state Legislature. **(Hence, option b is correct)**
- The Parliament can **delegate the power to make laws** for the state to the President or any other body specified by him when the state legislature is suspended or dissolved.

Source) M. Laxmikanth

Q.31) With regard to tax exemption provided to Central or states property, which of the following statements is/are correct?

- Parliament can allow municipalities to impose taxes on property owned by the Central government.
- Only the President can authorize the Centre to impose tax on commercial operations of state.
- The state can impose tax on the companies created by the Central government.

Select the correct answer using the code given below:

- 1 and 2 only
- 2 only
- 3 only
- 1 and 3 only

Ans) d

Exp) Option d is correct.

Statement 1 is correct. Although Centre’s property is exempted from all taxes imposed by a state or municipalities, district boards and panchayats, **but Parliament is empowered to remove this ban.** Hence, Parliament can allow municipalities to impose taxes on property owned by the Central government.

Statement 2 is incorrect. The commercial operations of state are exempted from the Centre’s taxation. **But the Parliament (and not the President)** can authorize the Center to impose tax on commercial operations of state.

Statement 3 is correct. The state can impose tax on the companies created by the Central government. **As the company is a separate legal identity, so** the state can impose tax on the companies created by the Central government.

Source: Laxmikanth Chapter-14 page- 14.14

Q.32) Which of the following are extra-constitutional measures to promote cooperation and coordination between the Centre and the States?

- Niti Aayog
- Inter-state council
- Zonal Councils
- All India services
- Central council of health and family welfare
- UGC (University Grants commission)

Select the correct answer using the code given below:

- 1, 2, 3 and 5 only
- 2, 3, and 5 only
- 1, 2, 3, 5 and 6 only
- 1, 3, 5 and 6 only

Ans) d

Exp) Option d is correct.

Extra-constitutional measures are those devices which **are not mentioned in the constitution**. These extra-constitutional measures promote cooperation and coordination between the Centre and the states. These include a number of advisory bodies and conferences held at the Central level.

Of the above given bodies, only 1, 3, 5 and 6 are correct. These bodies are **NITI Aayog**, National Integration Council, **The Central council of Health and family welfare**, **The Zonal council**, **UGC (University Grants commission)**, The Governor's conferences, The Chief minister's conferences, The Chief secretaries' conferences etc.

2 and 4 are incorrect. Inter-State council is not an extra-constitutional device as it is mentioned in Article 263 of the constitution.

All India services is also mentioned in article 312 of the constitution and so it is not an extra-constitutional device. The members of these services occupy top positions (or key posts) under both the Centre and the states and serve them by turns.

Source: Laxmikanth Chapter-14 page- 14.8

Q.33) The Parliament can make any law for whole or any part of India for implementing international treaties

- with the consent of all the states
- with the consent of the majority of states
- with the consent of the states concerned
- without the consent of any state

Ans) d

Exp) Option d is correct.

The Parliament can make laws on any matter in the State List for implementing the international treaties, agreements or conventions. It can be done **without the consent of the states**. This provision enables the Central government to fulfil its international obligations and commitments.

Some examples of laws enacted under the above provision are United Nations (Privileges and Immunities) Act, 1947; Geneva Convention Act, 1960; Anti-Hijacking Act, 1982 and legislations relating to environment and TRIPS.

Source) M Laxmikanth,

Q.34) Which of the following are the key concepts associated with federalism?

- Dual citizenship
- Written constitution
- Division of powers
- Integrated judiciary

Select the correct answer using the code given below:

- 1, 2 and 3 only
- 3 and 4 only
- 1, 3 and 4 only
- 2, 3 and 4 only

Ans) a

Exp) Option a is correct.

Essentially, **federalism** is an institutional mechanism to accommodate two sets of polities—one at the regional level and the other at the national level. Each government is autonomous in its own sphere. Although the concept of federalism has been different in different contexts of USA or Germany, but there are a few common concepts associated with federalism. –

- Dual citizenship** – a resident is a citizen of the entire union or country as well as a citizen of the state or province in which he is living. USA is one such example.

- 2) **Written constitution** - The details of this dual system of government are generally spelt out in a written constitution, which is considered to be supreme and which is also the source of the power of both sets of government.
- 3) **Division of powers**- It is an essential feature of the federal constitution and division of power is done by the Constitution itself. The Constitution clearly demarcates and defines the power of the Union and the States. Both governments are independent in their rights, powers, and jurisdiction.
- 4) **Independent (and not integrated) judiciary** - To prevent conflicts between the centre and the State, there is an independent judiciary to settle disputes. The judiciary has the powers to resolve disputes between the central government and the States on legal matters about the division of power.

Knowledge Base: With reference to integrated judiciary, the Supreme Court stands at the top of the integrated judicial system in the country. Below it, there are high courts at the state level. Under a high court, there is a hierarchy of subordinate courts, that is, district courts and other lower courts. This single system of courts enforces both the central laws as well as the state laws, unlike in USA, where the federal laws are enforced by the federal judiciary and the state laws are enforced by the state judiciary.

The model of federalism that India has adopted is not completely federal like USA but is quasi-federal in nature which has also included elements of parliamentary form of democracy which has more of a centralizing tendency.

Source: NCERT Class XI Indian Constitution At Work Ch-7 Federalism;

<http://www.legalservicesindia.com/article/137/Federalism....html>

Q.35) With reference to the federalism in India and USA, which of the following is/are correct?

1. India follows a single citizenship while USA has dual citizenship.
2. Both in India and the USA, the residuary powers to make laws lies with the Union legislature.

Select the correct answer using the code given below:

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

Ans) a

Exp) Option a is correct.

Statement 1 is correct. As per the constitution of India, the people of **India of a single citizenship**, that is, they are just the citizen of India but in the case of USA, the people of **USA have dual citizenships** of both the country as well as the states in which they are born.

Statement 2 is incorrect. In the **US constitution, residuary powers** lie with the **individual state**. Thus, the US Constitution says, "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States are reserved to the States". But in the Indian Constitution the power to make laws with respect to residuary subjects (i.e., the matters which are not enumerated in any of the three lists) is vested in the Parliament.

Knowledge Base: USA has a presidential form of government and India has a parliamentary form of government.

Source: NCERT Class XI Indian Constitution At Work Ch-7 Federalism

Q.36) According to the Constitution of India, it is the duty of the President of India to cause to be laid before the Parliament which of the following?

1. The Recommendations of the Union Finance Commission
2. The Report of the Public Accounts Committee
3. The Report of the Comptroller and Auditor General
4. The Report of the National Commission for Scheduled Castes

Select the correct answer using the codes given below:

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

Ans) c

Exp) Option c is correct.

According to the Constitution of India, it is the duty of the President of India to cause to be laid before the Parliament following reports -

- 1) The Recommendations of the Union Finance Commission
- 2) The Report of the Comptroller and Auditor General
- 3) The Report of the National Commission for Scheduled Castes
- 4) The Report of the National Commission for Scheduled Tribes
- 5) Reports of the Comptroller and Auditor General
- 6) The Report of the Union Public Service Commission
- 7) The Report of the National Commission of Backward Classes

The President does **not lay the reports of Public Accounts Committee** before the Parliament. In fact, the function of the committee is to examine the annual audit reports of the Comptroller and Auditor General of India (CAG), which are laid before the Parliament by the President.

Source) M Laxmikanth

Q.37) In which of the following options, are all the subjects listed in the concurrent list of the Constitution of India?

- a) Defence, police, education
- b) Education, forests, trade unions
- c) Land, education, forests
- d) Banking, trade unions, land

Ans) b

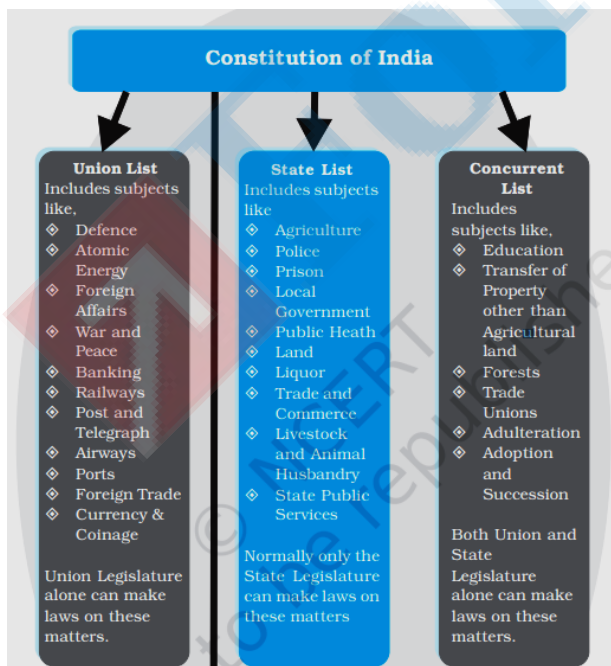
Exp) Option b is correct.

The **concurrent list** on the other hand has subjects in which both Parliament and state legislatures have jurisdiction. However, **the Constitution provides federal supremacy to Parliament on concurrent list items in case of a conflict.**

Union list - defence, banking

State list - land, police

Concurrent list - education, forest, trade unions. Thus, **statement b is correct.**



Knowledge Base: **Residuary powers** – union legislature alone has the power to legislate on such matters which are not listed in any of the three lists.

Source: NCERT Class XI Indian Constitution At Work Ch-7 Federalism

Q.38) Which of the following matters come under residuary powers as per Schedule VII of the Indian Constitution?

1. Computer Software
2. Disaster Management
3. Currency and Coinage
4. Foreign Affairs

Select the correct answer using the code given below:

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

Ans) a

Exp) Option a is correct.

The Constitution provides for a three-fold distribution of legislative subjects between the Centre and the states, viz., List-I (the Union List), List-II (the State List) and List-III (the Concurrent List) in the Seventh Schedule.

Option 1 and 2 are correct. Disaster management and computer software as a field of legislation does not find mention in either List II or List III, nor does any particular entry in List I specifically deal with this. Therefore, it falls under residuary powers.

Option 3 and 4 are incorrect. Currency and coinage and foreign affairs come under Union List.

Residuary powers, put simply, refer to the power of jurisdiction upon subjects that are not mentioned in the state or concurrent list. The union government enjoys exclusive jurisdiction over such subjects.

Article 248 of the constitution clearly states, “The Union Parliament has exclusive power to make any law with respect to any matter not enumerated in the Concurrent List or the State List.”

Knowledge Base: **Seventh Schedule:**

It contains three lists- **Union List, State List and Concurrent List.**

- 1) The **union list** details the subjects on which Parliament may make laws while the **state list** details those under the purview of state legislatures.
- 2) The **concurrent list** on the other hand has subjects in which both Parliament and state legislatures have jurisdiction. However, **the Constitution provides federal supremacy to Parliament on concurrent list items in case of a conflict.**

Source: NCERT Class XI Indian Constitution At Work Ch-7 Federalism

<https://www.thehindu.com/opinion/op-ed/riding-roughshod-over-state-governments/article31568039.ece>
NCERT class 10, ch 2

Q.39) Consider the following statements:

Attorney General of India can

1. take part in the proceedings of the Lok Sabha
2. be a member of a committee of the Lok Sabha
3. speak in the Lok Sabha
4. vote in the Lok Sabha

Which of the statements given above is/are correct?

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

Ans) c

Exp) Option c is correct.

The Attorney General of India (AGI) is the only person under the Indian system who can take part in the proceedings of the Parliament or any parliamentary committee, but cannot vote.

Statements 1, 2 and 3 are correct. He has the **right to speak** and to take part in the proceedings of both the Houses of Parliament or their joint sittings and in any committee of the Parliament of which he may be named a member, but **without the right to vote**.

Source) M Laxmikanth

Q.40) Which of the following are the important provisions of the Constitution which create a strong central government?

1. Parliament has the power to alter the name of a state
2. Emergency provisions
3. Office of the Governor of a state
4. Central government can give instructions to the state government

Select the correct answer using the code given below:

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

Ans) d

Exp) Option d is correct.

The following **features** of the Constitution makes our polity with a **strong central government**.

- 1) Parliament has the power to **alter the name of a state**. The Parliament is empowered to form a new State by separation of territory from any State or by uniting two or more States. It can also alter the boundary of any State.
- 2) **Emergency provisions** - The Constitution has certain very powerful emergency provisions, which can turn our federal polity into a highly centralised system once emergency is declared. During an emergency, power becomes lawfully centralised. Parliament also assumes the power to make laws on subjects within the jurisdiction of the States.
- 3) **Office of Governor** - Governor has certain powers to recommend dismissal of the State government and the dissolution of the Assembly. Besides, even in normal circumstances, the Governor has the power to reserve a bill passed by the State legislature, for the assent of the President. This gives the central government an opportunity to delay the State legislation and also to examine such bills and veto them completely.
- 4) The central government may choose to give **instructions to the State government** as per Article 257. According to Article 257, the executive power of the Union shall also extend to the giving of directions to a State as to the construction and maintenance of means of communication declared in the direction to be of national or military importance.

Knowledge Base: The framers of the Constitution believed that we required a federal constitution that would accommodate diversities. But they also wanted to create a strong centre to stem disintegration and bring about social and political change. It was necessary for the centre to have such powers.

Source: NCERT Class XI Indian Constitution At Work Ch-7 Federalism

Q.41) Why India is called as the “Union of States” in the Constitution?

1. Indian Federation is not the result of an agreement among the states like the American Federation.
2. States have no right to secede from the federation.
3. Two or more states can override the Union government in law making.

Select the correct answer using the code given below:

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

Ans) a

Exp) Option a is correct.

Statement 1 and 2 are correct. According to Dr B R Ambedkar, the phrase 'Union of States' has been preferred to 'Federation of States' for two reasons: one, the **Indian Federation** is not the result of an **agreement among the states** like the American Federation; and two, the **states have no right to secede** from the federation. The federation is a Union because it is **indestructible**. The country is an integral whole and divided into different states only for the convenience of administration.

Statement 3 is incorrect. There is **no such provision** in the constitution which allows two or more states to override the union government in law making.

Knowledge Base: **Article 1** describes India, that is, Bharat as a 'Union of States' rather than a 'Federation of States'. This provision deals with two things: one, name of the country, and two, type of polity.

Source: Indian Polity 5th edition by Laxmikanth Ch-5 Union and its Territory

Q.42) Which of the following disputes are within the scope of the Inter-State council?

1. Disputes arising due to misuse of Article 356
2. Disputes between the states
3. Disputes due to delay in state Bills that are referred for President's consideration

Select the correct answer using the code given below:

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

Ans) d

Exp) Option d is correct.

The Inter State Council's function to enquire and advice upon inter-state disputes is complementary to the Supreme Court's jurisdiction under Article 131 to decide a legal controversy between the governments. The Council can deal with any controversy whether legal or nonlegal, but its function is advisory unlike that of the court which gives a binding decision.

Statement 1 is correct. The Srinagar conclave of the **Inter-State Council** arrived at a consensus on preventing the **misuse of Article 356**. The ISC finally arrived at a conclusion that the report of the National Commission to Review the Working of the Constitution (NCRWC) must be implemented. The NCRWC clearly recommended that (a) Article 356 should not be deleted; but it must be used sparingly and it should be used only as a remedy of the last resort; and after exhausting action under other Articles like 256, 257 and 355.

Statement 2 is correct. The following disputes are within the scope of Inter-state council

- 1) It can enquire into and advise upon **disputes which may arise between states**
- 2) It can investigate and discuss the common interest subjects of center and states but can't discuss Centre-states disputes.
- 3) It can make recommendations upon any subject for the better co-ordination of policy and action on it.

Statement 3 is correct. The issue of delay in state bills referred for President's consideration was discussed in ISC. **The ISC** decided that there should be time-bound clearance of Bills referred. The Bills should not be reserved for President's consideration in a routine manner. For this, Sarkaria Commission recommendations on the subject should be followed.

Source: Laxmikanth Chapter-15 page- 15.2

http://www.jiwaji.edu/pdf/ecourse/political_science/MA_PUB_ADMN_II_204_Inter_state_Relations.pdf

Q.43) With reference to the differences between Article 2 and Article 3 of the Constitution, consider the following statements:

1. Article 2 relates to the admission or establishment of new states that are not part of the Union of India.
 2. Article 3 deals with the internal re-adjustment of the territories of the constituent states of the Union of India.
- Which of the statements given above is/are correct?

- a) 1 only

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

Ans) c

Exp) Option c is correct.

Statement 1 is correct. Article 2 empowers the Parliament to 'admit into the Union of India, or establish, new states on such terms and conditions as it thinks fit'. Thus, Article 2 grants two powers to the Parliament: (a) the power to admit into the Union of India new states; and (b) the power to establish new states. Article 2 relates to the **admission or establishment of new states** that are not part of the Union of India.

Statement 2 is correct. Article 3, on the other hand, relates to the **formation of or changes** in the **existing states** of the Union of India. In other words, Article 3 deals with the **internal re-adjustment** of the territories of the constituent states of the Union of India.

Knowledge Base: Constitution authorises the Parliament to form new states or alter the areas, boundaries or names of the existing states without their consent. In other words, the Parliament can redraw the political map of India as per its will.

Source: Indian Polity 5th edition by Laxmikanth Ch-5 Union and its Territory

Q.44) With reference to the powers of the Parliament to reorganize the States, consider the following statements:

1. It includes the power to form a new state or union territory by uniting a part of any state to any other union territory.
2. A bill for such a purpose can be introduced in the Parliament only with the prior recommendation of the President.
3. The President has to refer such a bill to the state legislature concerned for expressing its views mandatorily within six months.
4. The President or Parliament is not bound by the views of the state legislature and may either accept or reject them.

Which of the statements given above is/are correct?

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

Ans) c

Exp) Option c is correct.

Statement 1 is correct. Article 3 of the Constitution of India authorises the Parliament to: (a) form a new state by separation of territory from any state or by uniting two or more states or parts of states or by uniting any territory to a part of any state;

(b) increase the area of any state;

(c) diminish the area of any state;

(d) alter the boundaries of any state; and

(e) alter the name of any state.

Further, the power of Parliament to form new states includes the **power to form a new state or union territory by uniting a part of any state or union territory to any other state or union territory.**

Statement 2 is correct. The bill contemplating the above changes can be introduced in the Parliament only with the **prior recommendation of the President.**

Statement 3 is incorrect. Before recommending the bill, the President has to refer the same to the state legislature concerned for expressing its views within a **specified period and not mandatorily within six months.**

Statement 4 is correct. The **President (or Parliament) is not bound** by the views of the state legislature and may either accept or reject them, even if the views are received in time.

Knowledge Base: **Article 3** authorises the Parliament to: (a) form a new state by separation of territory from any state or by uniting two or more states or parts of states or by uniting any territory to a part of any state, (b)

increase the area of any state, (c) diminish the area of any state, (d) alter the boundaries of any state, and (e) alter the name of any state.

Source: Indian Polity 5th edition by Laxmikanth Ch-5 Union and its Territory

Q.45) Which of the following statements is/are *incorrect* with reference to Zonal councils?

1. These are constitutional bodies formed under Article 262 of the constitution.
2. The Chief ministers of respective zone by rotation acts as the chairperson of these councils.
3. Their decisions are binding on the concerned state governments.

Select the correct answer using the code given below:

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

Ans) d

Exp) Option d is correct.

Statement 1 is incorrect. The Zonal Councils are not constitutional bodies, but statutory bodies formed under the State Reorganization Act of 1956. The Act divided the country into 5 zones (North, Central, eastern, Western and Southern).

Statement 2 is incorrect. The Home minister of Central government is the common chairperson of 5 zonal councils. The chief minister acts as a vice-chairman of the council by rotation holding office for a period of 1 year at a time.

Statement 3 is incorrect. These Zonal councils are merely deliberative and advisory bodies. These make recommendations for the emotional integration of the country. But its decisions are not binding.

Source: Laxmikanth Chapter-15 page- 15.5

Q.46) With reference to the powers of the Parliament, consider the following statements:

1. Power of Parliament to diminish the area of a state under Article 3 does not cover cession of Indian Territory to a foreign country.
2. Settlement of a boundary dispute between India and another country does not require a Constitutional Amendment.
3. Altering boundaries of a state can only be done via a Constitutional Amendment under Article 368.

Which of the statements given above is/are correct?

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

Ans) a

Exp) Option a is correct.

Statement 1 is correct. The Supreme Court held in the Berubari Union case that the power of Parliament to diminish the area of a state (under Article 3) does not cover cession of Indian territory to a foreign country. Hence, Indian territory can be ceded to a foreign state only by amending the Constitution under Article 368.

Statement 2 is correct. The Supreme Court in 1969 ruled that, settlement of a boundary dispute between India and another country does not require a constitutional amendment. It can be done by executive action as it does not involve cession of Indian territory to a foreign country.

Statement 3 is incorrect. As per Article 4 of the constitution altering boundaries of a state does not require a constitutional amendment under Article 368 and can be done via a simple majority in the parliament.

Knowledge Base: Constitution (Article 4) itself declares that laws made for admission or establishment of new states (under Article 2) and formation of new states and alteration of areas, boundaries or names of existing states (under Article 3) are not to be considered as amendments of the Constitution under Article 368. This means that such laws can be passed by a simple majority and by the ordinary legislative process.

Source: Indian Polity 5th edition by Laxmikanth Ch-5 Union and its Territory

Q.47) Which of the following were the criteria recommended by Fazl Ali commission for state reorganization?

1. Linguistic and cultural homogeneity
2. Protection of tribal identity
3. Financial, economic and administrative considerations
4. Welfare of the people in each state and entire nation as a whole

Select the correct answer using the code given below:

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

Ans) c

Exp) Option c is correct.

Fazl Ali Commission submitted its report in September 1955 and broadly accepted language as the basis of reorganisation of states. But it **rejected the theory of 'one language- one state'**. Its view was that the unity of India should be regarded as the primary consideration in any redrawing of the country's political units.

It identified **four major factors** that can be taken into account in any scheme of reorganisation of states:

- (a) Preservation and strengthening of the **unity and security** of the country.
- (b) **Linguistic and cultural** homogeneity.
- (c) **Financial, economic** and **administrative** considerations.
- (d) Planning and promotion of the **welfare of the people** in each state as well as of the nation as a whole.

Protection of tribal identity was not one of the factors which was identified by Fazl Ali commission for reorganisation of states.

Source: Indian Polity 5th edition by Laxmikanth Ch-5 Union and its Territory

Q.48) Receipts from which of the following are the major sources of non-tax revenues of the states?

1. Receipts from fisheries
2. Excise duties on liquor
3. Royalties from mines
4. Receipts from forests
5. Receipts from State PSEs (Public Sector Enterprises)

Select the correct answer using the code given below:

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

Ans) d

Exp) Option d is correct.

Tax revenue is charged on income earned by an individual or an entity (direct tax) and on the value of transaction of goods and services (indirect tax). On the other hand, non-tax revenue is charged against services provided by the government. It also includes interest charged on loans advanced by the government for various purposes. It is compulsory to pay a part of the income earned/generated and amount of goods and services consumed as tax. However, non-tax revenue becomes payable only when services offered by the government are availed.

Option 1, 3, 4 and 5 are correct. The major sources of non-tax revenues of the state are all receipts **other than taxes and capital receipts from debt issues or asset sales**. Fees charged by state government for particular services and commodities provided by it, forms a major non-revenue source of income for the state government. For example, the receipts from **irrigation, forests, Fisheries, State Public sector enterprises and escheat and lapse, royalties from mines and mineral concession fees**.

Option 2 is incorrect. Excise duty on alcohol is the **tax source of revenue** for the states, and not a non-tax revenue.

Source: Laxmikanth Chapter-14 page- 14.12

<https://indianexpress.com/article/explained/explained-why-states-are-so-keen-about-excise-duty-on-liquor-6393643/>

<https://www.dailypioneer.com/2021/state-editions/state---s-non-tax-revenue-registers-160--growth.html>

https://cag.gov.in/uploads/old_reports/state/Jharkhand/2007/Revenue/rev_chap_7.pdf

Q.49) Consider the following statements regarding various grants provided to states:

1. Statutory grants are made compulsorily for every state but discretionary grants are not.
2. Statutory grants are made by the Parliament, whereas discretionary grants are made by the Central government.
3. Specific grants needed for promoting the welfare of Scheduled Tribes in a state are considered as discretionary grants.

Which of the statements given above *is/are incorrect*?

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

Ans) d

Exp) Option d is correct.

Statement 1 is incorrect. Article 275 of Constitution of India provides for statutory grants to those **states which are in need of financial assistance and not to every state**. Moreover, different sums are charged for different states. Discretionary grants are the grants provided by the centre and states under Article 282 **for any public purpose even if it is not in their legislative competence**. The centre is under no obligation to give this grant to states, rather it is centres discretion to allocate this grant. Thus, both statutory and discretionary grants are not compulsorily given to all states.

Statement 2 is correct. **Statutory grants** are made **by the Parliament** on the recommendation of Finance Commission. While **the Discretionary grants are made by the Centre** as well as by the states on their discretion.

Statement 3 is incorrect. Specific grants needed for promoting the **welfare of Scheduled tribes** in a state are considered as **statutory grants**. Moreover, grants for raising the level of administration of the scheduled areas in a state including in the state of Assam is also considered in the category of statutory grants.

Source: Laxmikanth Chapter-14 page- 14.12

Q.50) Which the following bills can be introduced in the Parliament only on the recommendation of the President?

1. Constitutional amendment bills
2. A bill which varies the meaning of the expression “agricultural income” for Indian Income tax.
3. Finance bill -II under Article 117 (3)
4. A bill diminishing the area of state
5. A bill imposing any surcharge on a tax for the purpose of centre.

Select the correct answer using the code given below:

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

Ans) b

Exp) Option b is correct.

Option 1 is incorrect. Constitutional amendment bills do not require prior permission of President for its introduction in Parliament.

Option 2 is correct. A bill which varies the meaning of the expression “agricultural income” for the purpose of enactment relating to Indian Income tax requires prior permission of President.

Option 3 is incorrect. Financial Bills-I under Article 117 (1) are like money bills which requires prior permission of President for its introduction in the Parliament. While Financial Bills-II under Article 117 (3) do not require prior permission of President for its introduction in the Parliament. however, the only special feature of this bill is that it cannot be passed by either House of Parliament unless the President has recommended to that House the consideration of the bill.

Option 4 is correct A bill to form the new state, to increase or **diminish the area of state, to alter the boundaries of state, or to change the name of the state** require prior permission of President for its introduction in the Parliament.

Option 5 is correct. A bill imposing any **surcharge on a tax** for the purpose of centre also require prior permission of President for its introduction in the Parliament.

Knowledge Base:

Other bills which require prior permission of President for its introduction in the Parliament.

- 1) A bill which imposes or varies any tax or duty in which the states are interested
- 2) A bill which affects the principles on which money are or may be distributable to states

Source: Laxmikanth Chapter-14 page- 14.13