

WBCS Exam Related Constitution & Polity Questions

Answers with Explanation

- | | |
|--|--|
| <p>1. (a) The National commission for scheduled castes is established by the Article 388 of the constitution of India whereas rest are established by acts of the parliament. National Commission for Scheduled Castes is an Indian constitutional body established with a view to provide safeguards against the exploitation of Scheduled Castes and to promote and protect their social, educational, economic and cultural interests, special provisions were made in the Constitution.</p> <p>2. (d) The Fundamental Duties of citizens were added to the Constitution by the 42nd Amendment in 1976, upon the recommendations of the Swaran Singh Committee that was constituted by the government earlier that year. All the statements given in the question about the fundamental duties, mentioned in the constitution of India, are correct.</p> <p>3. (c) The amendment in the Directive Principle of state policy needs for a special majority of the Parliament where the amendment in the election of the president and its manner needs for a special majority of the parliament.</p> <p>4. (a) Provisions relating to free legal aid was incorporated into constitution of India by constitution (42nd amendment) Act 1992, provisions for the reservation in promotion by 77th Amendment Act 1995 and Article 51A(K) by 86th Amendment Act 2002</p> <p>5. (b) The word minority is not defined in the constitution of India, yet it recognizes two types of minorities, based on religion and language. The minorities commission is a statutory body constituted in 1993 by an act of Parliament.</p> <p>6. (a) Article 54- Election of the president.
Article 155- Appointment of the Governor of State.
Article 75- Appointment of the PM and Council of Ministers.
Article 164- Appointment of the CM and council of Ministers of a state.</p> <p>7. (b) The Government of India Act 1935 introduced the provincial autonomy and provided for an all India federation.</p> | <p>Indian Councils Act of 1909 -The right of separate electorate was given to the Muslims. Government of India Act, 1919: The Act provided a dual form of government (a "dyarchy") for the major provinces.</p> <p>● The government of India act 1858: The Company's territories in India were to be vested in the Queen, the Company ceasing to exercise its power and control over these territories. India was to be governed in the Queen's name.</p> <p>8. (a) Steering Committee – Rajendra Prasad
Fundamental Rights Sub-Committee – J.B. Kripalani
Union Constitution Committee – Jawahar Lal Nehru.
Provincial Constitution Committee – Sardar Vallabhbhai Patel</p> <p>9. (d) These are the new states and Union territories created after 1956.</p> <p>10. (b) The Writ Jurisdiction of Supreme Court can be invoked under Article 32 of the Constitution for the violation of fundamental rights guaranteed under Part – III of the Constitution. These are as under:</p> <p>(A) Writ of Habeas Corpus:
It is the most valuable writ for personal liberty. Habeas Corpus means, "Let us have the body." A person, when arrested, can move the Court for the issue of Habeas Corpus. It is an order by a Court to the detaining authority to produce the arrested person before it so that it may examine whether the person has been detained lawfully or otherwise. If the Court is convinced that the person is illegally detained, it can issue orders for his release.</p> <p>(B) The Writ of Mandamus:
Mandamus is a Latin word, which means "We Command". Mandamus is an order from a superior court to a lower court or tribunal or public authority to perform an act, which falls within its duty.</p> <p>(C) The Writ of Quo-Warranto:
The word Quo-Warranto literally means "by what warrants?" It is a writ issued with a</p> |
|--|--|

view to restraining a person from acting in a public office to which he is not entitled.

(D) The Writ of Prohibition: অ্যাডভান্স

Writ of prohibition means to forbid or to stop and it is popularly known as 'Stay Order'. This Writ is issued when a lower court or a body tries to transgress the limits or powers vested in it. It is a Writ issued by a superior court to lower court or a tribunal forbidding it to perform an act outside its jurisdiction.

(E) The Writ of Certiorari:

Literally, Certiorari means to be certified. The Writ of Certiorari is issued by the Supreme Court to some inferior court or tribunal to transfer the matter to it or to some other superior authority for proper consideration. The Writ of Certiorari can be issued by the Supreme Court or any High Court for quashing the order already passed by an inferior court.

11. (b) The eight current union territories are:

- Andaman and Nicobar Islands. অ্যাডভান্স
- Chandigarh.
- Dadra and Nagar Haveli and Daman & Diu.
- Delhi (National Capital Territory of Delhi)
- Lakshadweep.
- Puducherry (Pondicherry)
- Jammu & Kashmir অ্যাডভান্স
- Ladakh

12. (b) 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.

13. (c)

14. (a) The first reading of the bill in a house of parliament refers to motion for leave to introduce the bill in the House. If a motion for leave to introduce a Bill is opposed, the Speaker, after permitting, if he thinks fit, brief statements from the member who opposes the motion and the member who moved the motion, may, without further debate, put the question: provided that where a motion is opposed on the ground that the Bill initiates legislation outside the legislative competence of the House, the Speaker may permit a full discussion thereon. Provided further that the Speaker shall forthwith put to vote the motion for leave to introduce a Finance Bill or an Appropriation Bill. অ্যাডভান্স

15. (b) Department of official languages is subordinate office of the Ministry of Home affairs. It deals with the implementation of the provisions of the Constitution relating to official languages and the provisions of the Official Languages Act, 1963. অ্যাডভান্স

16. (b) President- Upholding the constitution and the law;

Judge of the supreme court- Faith and allegiance to the constitution of India; Members of Parliament-Faithful Discharge of Duties; Minister for the Union-Secrecy of Information

17. (b) The term of Lok Sabha can be extended during the period of national emergency by a law of parliament for six months at a time for any length of time.

18. (a) Haryana state - Act 1966

Fourth Lok Sabha - 16th March 1967

Manipur Tripura and Meghalaya- Act, 1971

Karnataka - Act, 1973

19. (a)

20. (c) The National Integration Council (NIC) is a group of senior politicians and public figures in India that looks for ways to address the problems of communalism, casteism and regionalism is chaired by Prime Minister. The Prime Minister is the Chairman of National Water Resources Council. The National Development Council (NDC) or the Rashtriya Vikas Parishad is the apex body for decision making and deliberations on development matters in India, presided over by the Prime Minister. The Inter-State Council shall consist of:

- (a) Prime Minister - Chairman অ্যাডভান্স
- (b) Chief Ministers of all States - Member
- (c) Chief Ministers of Union Territories having a Legislative Assembly and Administrators of UTs not having a Legislative Assembly - Member
- (d) Six Ministers of Cabinet rank in the Union Council of Ministers to be nominated by the Prime Minister - Member

21. (b) The Governor has the power to appoint the Council of Ministers including the Chief Minister of the state, the Advocate General and the members of the State Public Service Commission. However, the Governor cannot remove the members of the State Public Service Commission as they can only be removed by an order of the President.

22. (d) Members of the Legislative Assembly and the Legislative Council of a State shall be entitled to receive such salaries and allowances as may from time to time be determined, by the Legislature of the State by law and, until provision in that respect is so made, salaries and allowances at such rates and upon such conditions as were immediately before the commencement of this Constitution applicable in the case of members of the Legislative Assembly of the corresponding province. The salary is paid from state consolidated fund.
23. (a) First Finance Commission – K.C. Neogy
 Fourth Finance Commission – P.V. Rajamannar
 Sixth Finance Commission – Brahamananda Reddy
 Eighth Finance Commission – Y.B. Chavan
24. (d) MGNREGA Programme provides employment to every household adult members to do unskilled manual work, focuses on natural resources management and encourages sustainable development. The statute is hailed by the government as “the largest and most ambitious social security and public works programme in the world”.
25. (b) The scheme is launched by the Ministry of HRD in collaboration with the AICTE. The All India Council for Technical Education (AICTE), Ministry of Human Resource Development (MHRD) has launched the National Vocational Education Qualification Framework (NVEQF) to be implemented in polytechnics, engineering colleges and other colleges in the university systems from 2012-13. The programmes are sector specific and the sectors like IT, media, entertainment, telecommunications, mobile communications, automobile, construction, retail, food processing, tourism, hotels, jewellery design and fashion design and many other have been identified for implementation. The launch was done by Shri Kapil Sibal, Union Minister for Human Resource Development.
26. (a) The amendment bill doesn't provide for divorce among Sikh couples. They will have to use the Hindu Marriage Act. Although the Anand Marriage Law was enacted in 1909, there was no provision for registration of marriages and they were registered under the Hindu Marriage Act, 1955. “The Anand Marriage (Amendment) Bill, 2012, after having received the assent of the President on June 7, 2012, has been published as corresponding act in the Gazette of India,”
27. (a) Zilla parishads at the sub-divisional level- Assam Mandal Praja parishad-Andhra Pradesh, Tribal Councils-Meghalaya and Absence of village panchayats-Mizoram
28. (c) The concept of public Interest litigation (PIL) originated in the USA.
29. (b) In 1687, the first municipal corporation in India was set up at Madras during the British rule period. The Chennai Municipal Corporation (officially the Corporation of Chennai), formerly known as the Corporation of Madras, is the civic body that governs the city of Chennai (formerly Madras), India. Inaugurated on September 29, 1688, under a Royal Charter issued by King James II on December 30, 1687 as the Corporation of Madras, it is the oldest municipal body of the Commonwealth of Nations outside Great Britain. It is headed by a mayor, who presides over 200 councilors each of whom represents one of the 200 wards of the city. It is also the second oldest corporation in the world.
30. (b)
31. (c) The Government of India Act 1935, the voluminous and final constitutional effort at governing British India, articulated three major goals: establishing a loose federal structure, achieving provincial autonomy, and safeguarding minority interests through separate electorates. The federal provisions, intended to unite princely states and British India at the centre, were not implemented because of ambiguities in safeguarding the existing privileges of princes. In February 1937, however, provincial autonomy became a reality when elections were held.
32. (b) With its adoption, the Union of India officially became the modern and contemporary Republic of India and it replaced the Government of India Act 1935 as the country's fundamental governing document. The Constitution declares India to be a sovereign, socialist, secular, democratic republic, assuring its citizens of justice, equality, and liberty, and endeavours to promote fraternity among them.

33. (c) Preventive detention is an imprisonment that is putatively justified for non-punitive purposes. In contrast to this, under preventive detention the government can imprison a person for some time without a criminal charge. It means that if the government feels that a person being at liberty can be a threat to the law and order or the unity and integrity of the nation, it can detain or arrest that person to prevent him from doing this possible harm. *প্র্যাচিভর্স*
34. (b) An uncodified or unwritten constitution is a type of constitution where the fundamental rules of government take the form of customs, usage, precedent and a variety of statutes and legal instruments. Current example of such a constitution is United Kingdom of Great Britain and Northern Ireland where there is no defining document that can be termed “the constitution”. Because the political system evolved over time, rather than being changed suddenly in an event such as a revolution, it is continuously being defined by acts of Parliament and decisions of the Law Courts
35. (a) India is governed in terms of the Constitution of India which was adopted by the Constituent Assembly on 26th November 1949 and came into force on 26th January 1950. *প্র্যাচিভর্স*
36. (a) The concept of Parliamentary sovereignty holds that the legislative body may change or repeal any previous legislation, and so that it is not bound by written law (in some cases, even a constitution) or by precedent. It is a principle of the UK constitution. It makes Parliament the supreme legal authority in the UK, which can create or end any law. Generally, the courts cannot overrule its legislation and no Parliament can pass laws that future Parliaments cannot change.
37. (c) The basic principles of federalism are the distribution of powers between the Centre and the States. *প্র্যাচিভর্স*
38. (d) The idea of Constituent assembly of India was first put forward by Manabendra Nath Roy or MN Roy in 1934. In 1935, it became the official demand of Indian National Congress. It was accepted in August 1940 in the August Offer; however, it was constituted under the Cabinet Mission plan of 1946. The constituent assembly drafted the constitution of India.
39. (c) A Money Bill can be introduced in Lok Sabha only. If any question arises whether a Bill is a Money Bill or not, the decision of Speaker thereon is final. The Speaker is under no obligation to consult any one in coming to a decision or in giving his certificate that a Bill is a Money Bill. The certificate of the Speaker to the effect that a Bill is a Money Bill, is to be endorsed and signed by him when it is transmitted to Rajya Sabha and also when it is presented to the President for his assent.
40. (c) The Fundamental Duties of citizens were added to the Constitution by the 42nd Amendment in 1976, upon the recommendations of the Swaran Singh Committee that was constituted by the government earlier that year. Originally ten in number, the Fundamental Duties were increased to eleven by the 86th Amendment in 2002, which added a duty on every parent or guardian to ensure that their child or ward was provided opportunities for education between the ages of six and fourteen years.
41. (c) Habeas corpus means “you must present the person in court”. It is a writ (legal action) which requires a person under arrest to be brought before a judge or into court. This ensures that a prisoner can be released from unlawful detention, in other words, detention lacking sufficient cause or evidence. *প্র্যাচিভর্স*
42. (b) The concept of dual nationality means that a person is a citizen of two countries at the same time. Each country has its own citizenship laws based on its own. Such type of nationality is very common in federal states such as the USA.
43. (d) Rajya Sabha is a permanent House and is not subject to dissolution. However, one-third Members of Rajya Sabha retire after every second year. A member who is elected for a full term serves for a period of six years. The election held to fill a vacancy arising otherwise than by retirement of a member on the expiration of his term of office is called ‘Bye-election’. A member elected in a bye-election remains member for the remainder of the term of the member who had resigned or died or disqualified to be member of the House under the Tenth Schedule. *প্র্যাচিভর্স*
44. (d) Official Opposition is a term used in India to designate the political party which has secured the largest number of seats in the Lower House of parliament (Lok Sabha) but is not a part of the ruling party or coalition. A political party

- is officially accorded the status of an opposition party in Lok Sabha, only if it secures at least 10 percent of the seats. **প্র্যাক্টিস**
45. (c) The President is chosen by an electoral college consisting of the elected members of both houses of Parliament, the elected members of the State Legislative Assemblies (Vidhan Sabha) and the elected members of the legislative assemblies of the Union Territories of Delhi and Puducherry.
46. (a) In matters pertaining to non-financial (ordinary) bills, after the bill has been passed by the House where it was originally tabled (Lok Sabha or Rajya Sabha), it is sent to the other house, where it may be kept for a maximum period of 6 months. If the other House rejects the bill or a period of 6 months elapses without any action by that House, or the House that originally tabled the bill does not accept the recommendations made by the members of the other house, it results in a deadlock. This is resolved by a joint session of both Houses, presided over by the speaker of the Lok Sabha and decided by a simple majority. **প্র্যাক্টিস**
47. (c) With India following a parliamentary system of government the Prime Minister is generally the leader of a party (or coalition of parties) that has a majority in the Lok Sabha, the lower house of the Parliament of India. He remains in office till he enjoys the confidence of the House.
48. (a) A plan is financed from Balance from Current Revenues (BCR); borrowings including net MCR; Net Flow from Abroad; Gross Budgetary Support for the Plan; Central assistance to States and UTs; Gross Budgetary Support (GBS) for Central Plan, Resources of Public Sector Enterprises (PSEs); and Resources for Central Plan. The balance from current revenues available for a 5 year plan depends upon the transferred resources from Centre and State's own revenues (sum of these two equals receipts) along with the relative stability of the non-plan expenditure, i.e. the extent to which a state is able to keep its non-plan expenditure under control. **প্র্যাক্টিস**
49. (d) In the Parliamentary form of government, the Parliament is supreme, and the governments, comprised of some members of the Parliament, are accountable to it. Some of the features of parliamentary form of government in India are: President as Head of state and the Nominal Executive; Prime Minister as the Head of Government and real center of power; Prime Minister as the Captain of the council of Ministers; Ministerial Responsibility; Individual Responsibility of each Minister; Collective responsibility of the Council of Ministers, etc. **প্র্যাক্টিস**
50. (b) The Speaker of the Lok Sabha certifies if a Finance bill is a Money Bill or not within article 110 of the Constitution of India.

