



DAILY PT MCQs-CRACK PRELIMS 2020 TEST-VI (POLITY-I)

- Which of the following is considered as Fundamentals of Governance in India?**
 - Fundamental Rights
 - Fundamental Duties
 - Directive principles of state policy
 - None of the above
- Consider the following statements:**
 - The members of Constituent Assembly were chosen by indirect election by the members of the provincial legislative assemblies that had been established under the Government of India Act, 1935.
 - The Constituent Assembly was planned on the basis of Wavell plan.
 - Seats in each Province were distributed among three main communities, Muslims, Sikhs and general.

Which of the statements given above is/ are correct?

 - 1 and 3 only
 - 1 only
 - 3 only
 - 1, 2 and 3
- From which of the following country's constitution the 'Directive Principles of State policy' provision has been adopted?**
 - Irish Constitution
 - Canadian Constitution
 - French Constitution
 - British Constitution
- Consider the following statements**
 - Indian constitution had been adopted after full-fledged referendum.
 - Indian Constitution has been successful in maintaining right balance between rigidity and flexibility.

Which of the statements given above is/ are CORRECT?

 - 1 only
 - 2 only
 - Both 1 and 2
 - Neither 1 nor 2
- Consider the following statements about Functions of Constitution:**
 - To provide a set of basic rules that allow for minimal coordination amongst members of a society.
 - To specify the power to make decision in a society
 - To limit what government can impose on citizens

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

 - 1 and 2 only
 - 2 only
 - 2 and 3 only
 - 1, 2 and 3
- "Nothing in this article shall prevent the State from making any provision for the reservation of appointments or posts in favour of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services"**

under the State". The article mentioned here is

- a) Article 15 (4) b) Article 16 (4)
c) Article 15 (2) d) Article 16(2)

7. Consider the following statements:

1. Constitutions have always been just in nature towards citizens of a State.
2. All the democratic countries have been associated with written constitution as fundamental document of land.

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

8. "The state shall not, in granting aid to educational institutions, discriminate against any educational institution on the ground that it is under the management of a minority, whether based on religion or language". This provision of constitution is part of:

- a) Article 15 b) Article 16
c) Article 29 d) Article 30

9. Indian Constitution's provision 'Idea of Residual powers' has been adopted from:

- a) French Constitution
b) United States Constitution
c) British Constitution
d) Canadian Constitution

10. Consider the following statements regarding 'Objective Resolution':

1. It was the summary of principles that developed during nationalist movement and moved by Dr. B.R Ambedkar
2. It proposed – India shall be a federal of erstwhile British Indian territories, Indian states and other parts outside British India.

3. To promote world peace and welfare of mankind.

Which of the statements given above is/ are CORRECT?

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

11. Consider the following provisions of Indian constitution:

1. Charter of Fundamental Rights
2. Power of Judicial Review
3. Independence of the judiciary

Above provisions have been adopted from:

- a) British Constitution
b) Canadian Constitution
c) French Constitution
d) None of the above

12. Consider the following statements:

1. Part III of Indian Constitution provides individual rights only.
2. Fundamental rights have been adopted based on 'bills of rights' from British Constitution.

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

13. Consider the following:

1. Right to work
2. Early childhood care and Education to children below the age of six years
3. Prevention of slaughter of useful cattle

Which of the given above forms the part of Part IV of Indian Constitution?

- a) 2 only b) 1 and 3 only
c) 1 and 2 only d) 1, 2 and 3
- 14. "No person shall be prosecuted and punished for the same offence more than once". This provision of constitution is part of:**
- a) Article 20 b) Article 21
c) Article 22 d) Article 23
- 15. Consider the following**
1. Right to propagate one's religion
 2. No person shall be asked to give evidence against himself or herself
 3. Right to education
- Which of the above is/are Fundamental rights mentioned in Indian Constitution?
- a) 3 only b) 1 and 3 only
c) 2 and 3 only d) 1, 2 and 3
- 16. Consider the following statements:**
1. Only leaders elected by people should rule country
 2. People have been given freedom to express views, freedom to organize and freedom to protest.
- Choose the correct political system being implied by above:
- a) Republic
b) Autocracy
c) Monarchy
d) None of the above
- 17. "If the court finds that a person is holding office but is not entitled to hold that office, it issues directive to restricts that person from acting as an office holder". Chose the correct writ being talked about:**
- a) Mandamus b) Prohibition
c) Quo Warranto d) Certiorari

- 18. Consider the following statements:**
1. Chairman of National Human Rights commission (NHRC) is always a retired Chief Justice of India.
 2. NHRC has power to prosecute the culprit in case of conviction.
 3. NHRC receives only complaints and does not has 'suo motu' powers
- Which of the statements given above is/are CORRECT?
- a) 2 and 3 only b) 1 only
c) 2 only d) 1 and 3 only
- 19. Consider the following statements about 'Democracy':**
1. Democracy did NOT spread evenly in all parts of the world.
 2. Democracy has expanded throughout the twentieth century.
- Which of the following statements given above is/are correct?
- a) 1 only b) 2only
c) Both d) Neither 1 nor 2
- 20. Consider the following statements:**
1. These are the goals and objectives that we as a society should adopt
 2. These are rights that individuals should enjoy
 3. These policies that the government should adopt
- The above statements being indicates:
- a) Fundamental rights
b) DPSPs
c) Fundamental Duties
d) Legal Rights
- 21. Consider the following statements about 'Fundamental Duties:**

1. Fundamental duties added to Indian Constitution through 42nd amendment
2. Indian Constitution makes enjoyment of rights dependent or conditional upon fulfillment of duties.

Which of the statements given above is/are CORRECT?

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

22. Consider the following statements:

1. In democratic political system citizens' rights are sacrosanct.
2. Directive Principle of State Policy are sacrosanct and Justifiable in nature.

Which of the statements given above is/are INCORRECT?

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

23. Which of the following statement depicts Proportional Representation electoral system?

- a) Voter votes for a candidate
- b) A party may get more seats than votes in the legislature
- c) Every constituency elects one representative
- d) Candidate who wins the elections gets majority of votes

24. Consider the following statements:

1. Indian constitution allows 'separate electorate' through reservation of seats to SC and STs
2. The Delimitation commission is appointed by the Parliament of India to decide the limits of constituency

Which of the statements given above is/are Correct?

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

25. Right to property as a fundamental right was removed by:

- a) 7th amendment
- b) 9th amendment
- c) 42nd amendment
- d) 44th amendment

ANSWER

1. Answer: (c)

- The Directive Principles are non-justiciable in nature, that is, they are not legally enforceable by the courts for their violation. Therefore, the government (Central, state and local) cannot be compelled to implement them. Nevertheless, the Constitution (Article 37) itself says that these principles are **fundamental in the governance** of the

country and it shall be the duty of the State to apply these principles in making laws.

2. Answer: (a)

- The Constituent Assembly was planned on the basis of Cabinet Mission.

3. Answer: (a)

- The **structural part** of the Constitution is, to a large extent, derived from the Government of India Act of 1935.

- The **philosophical part** of the Constitution (the Fundamental Rights and the **Directive Principles of State Policy**) derive their inspiration from the American and **Irish** Constitutions respectively.
- The **political part** of the Constitution (the principle of Cabinet Government and the relations between the executive and the legislature) have been largely drawn from the British Constitution.

4. Answer: (b)

- **Explanation:**The Indian Constitution was never subjected to such a referendum, but nevertheless carried enormous public authority, because it had the consensus and backing of leaders who were themselves popular.

5. Answer: (d)

Features of a Constitution

- A constitution is a set of basic rules that allows for minimal coordination amongst members of a society and expresses the fundamental identity of people.
- It is a body of fundamental principles according to which a state is constituted or governed.
- A constitution specifies the power of people to make decisions in a society.
- It decides on how the government would be constituted.
- Constitution also sets some fundamental limits on what a government can impose on its citizens and which cannot be trespassed.
- A constitution enables the government to fulfil the aspirations of a society and create conditions for a just society

6. Answer: (b)

- **Article 16** provides for equality of opportunity for all citizens in matters of employment or appointment to any office under the State. No citizen can be discriminated against or be ineligible for any employment or office under the State on grounds of only religion, race, caste, sex, descent, place of birth or residence.
- **Article 16(4)** of the Indian Constitution states that “Nothing in this article shall prevent the State from making any provision for the reservation of appointments or posts in favour of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State.”
- **Article 16(4)** provides for reservation for Backward Classes in cases of inadequate representation in public employment.
- **Article 16(4)** is enacted as a remedy for the past historical discriminations against a social class.

7. Answer: (d)

- **Explanation:**Constitution can also be ethically unjust towards its citizens. For example, Pakistan’s constitution allows blasphemy which is unjust.
- United Kingdom is democratic country but does not has written constitution.

8. Answer: (d)

- Article 30 grants the following rights to minorities, whether religious or linguistic:
 - (a) All minorities shall have the right to establish and administer educational institutions of their choice.

(b) The compensation amount fixed by the State for the compulsory acquisition of any property of a minority educational institution shall not restrict or abrogate the right guaranteed to them. This provision was added by the 44th Amendment Act of 1978 to protect the right of minorities in this regard. The Act deleted the right to property as a Fundamental Right (Article 31).

(c) In granting aid, the State shall not discriminate against any educational institution managed by a minority.

9. Answer: (d)

Features Borrowed from Canadian Constitution

- Federation with a strong Centre
- Vesting of residuary powers in the Centre,
- Appointment of state governors by the Centre, and
- Advisory jurisdiction of the Supreme Court.

10. Answer: (b)

- **Explanation:** Objective resolution was given by Nehru and adopted by constituent assembly. Objective resolution proposed – India shall be a UNION

11. Answer: (d)

- **Explanation:** These provisions have been taken from United States Constitution.

12. Answer: (d)

- **Explanation:** Fundamental rights provided in Part III of Indian constitution talks about both individual and collective rights
- The bill of rights is from United states constitution.

13. Answer: (d)

CLASSIFICATION OF THE DIRECTIVE PRINCIPLES

- The Constitution does not contain any classification of Directive Principles. However, on the basis of their content and direction, they can be classified into three broad categories, viz, socialistic, Gandhian and liberal-intellectual.

Socialistic Principle

- To secure the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement (**Article 41**).

Gandhian Principle

- To prohibit the slaughter of cows, calves and other milch and draught cattle and to improve their breeds (**Article 48**).

Liberal-Intellectual Principle

- To provide early childhood care and education for all children until they complete the age of six years (**Article 45**).

14. Answer: (a)

- **Article 20** grants protection against arbitrary and excessive punishment to an accused person, whether citizen or foreigner or legal person like a company or a corporation. It contains three provisions in that direction:

- (a) **No ex-post-facto law:** No person shall be (i) convicted of any offence except for violation of a law in force at the time of the commission of the act, nor (ii) subjected to a penalty greater than that prescribed by the law in force at the time of the commission of the act.

- (b) **No double jeopardy:** No person shall be prosecuted and punished for the same offence more than once.
- (c) **No self-incrimination:** No person accused of any offence shall be compelled to be a witness against himself.

15. Answer: (d)

Self-explanatory.

16. Answer: (d)

- **Explanation:** Democracy is a form of government that allows people to choose their rulers. And in democracy freedom to express views and other freedom are provided.
- Republic political system is one where a form of government that is not based on heritage or authoritarian governance.

17. Answer:(c)

- The Supreme Court (under **Article 32**) and the high courts (under **Article 226**) can issue the writs of habeas corpus, mandamus, prohibition, certiorari and quo-warranto.

Habeus Corpus

- This writ can be issued against any person, Private or official
- An order calling upon the person who has unlawfully detained another person to produce the later before the court to ascertain, whether the detention is legal or not

Mandamus

- The writ of ‘mandamus’ is an order of the High Court or the Supreme Court commanding a person or a body to do its duty.

- Mandamus writ is used to command authority against both judicial & administrative, but entrusted only with public duty

Prohibition

- The Writ of prohibition means to forbid or to stop and it is popularly known as ‘Stay Order’.
- Writ of Prohibition is used against judicial & Quasi-Judicial authorities to command inactivity to certain judgment

Certiorari

- It is issued by the higher court to the lower court either to transfer the case pending with the latter to itself or to squash the order already passed by an inferior court, tribunal or quasi-judicial authority.

Difference between Writ of Prohibition & Certiorari

- A writ of prohibition is used to prevent an inferior court or tribunal to proceed the trial in excess of its jurisdiction whereas a writ certiorari is issued to quash the order of an inferior court or tribunal in excess of jurisdiction

Quo Warranto

- It is a writ issued with a view to restrain a person from holding a public office to which he is not entitled.
- The writ requires the concerned person to explain to the Court by what authority he holds the office.

18. Answer: (b)

Explanation:

NHRC has NO power to prosecute.

NHRC has suo motu power.

19. Answer: (c)

- **Explanation:** Democracy did NOT spread evenly in all parts of world. It was established first in some regions and then spread to other regions. The phase of spread of democracy has been due to decolonization.

20. Answer: (b)

21. Answer: (a)

- **Explanation:** Indian constitution does not make enjoyment of rights dependent upon fulfilment of duties.

22. Answer: (c)

- In Democracy, Rights are subjected to limitation and can be limited in times of Emergency and DPSP are NOT sacrosanct and are NOT justifiable in nature.

23. Answer: (d)

Comparison of FPTP and PR system of election

FPTP

The country is divided into small geographical units called constituencies or districts

Every constituency elects one representative

Voter votes for a candidate

A party may get more seats than votes in the legislature

Candidate who wins the election may not get majority (50%+1) votes

Examples: U.K., India

PR

Large geographical areas are demarcated as constituencies. The entire country may be a single constituency

More than one representative may be elected from one constituency
Voter votes for the party

Every party gets seats in the legislature in proportion to the percentage of votes that it gets

Candidate who wins the elections gets majority of votes.

Examples: Israel, Netherlands

24. Answer: (d)

- **Explanation:** Separate electorate system is not followed Post Independence
Delimitation commission is appointed by President of India.

25. Answer: (d)

PRESENT POSITION OF RIGHT TO PROPERTY

- Originally, the right to property was one of the seven fundamental rights under Part III of the Constitution.
- It was dealt by **Article 19(1)(f) and Article 31**.
- **Article 19(1)(f)** guaranteed to every citizen the right to acquire, hold and dispose of property.
- **Article 31**, on the other hand, guaranteed to every person, whether citizen or non-citizen, right against deprivation of his property.
- The **44th Amendment Act of 1978** abolished the right to property as a Fundamental Right by repealing Article 19(1)(f) and Article 31 from Part III.
- Instead, the Act inserted a **new Article 300A** in Part XII under the heading 'Right to Property'.
- It provides that no person shall be deprived of his property except by authority of law. Thus, the right to property still remains a **legal right or a constitutional right**, though no longer a fundamental right. It is not a part of the basic structure of the Constitution.



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