



2025 Prelims Indian Polity Report Card

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**Total Questions = 14
Hits = 13
Miss = 1**

PrepMate IAS

Q1. Consider the following statements:

- I. Panchayats at the intermediate level exist in all states.
- II. To be eligible to be a member of a panchayat at the intermediate level, a person should attain the age of thirty years.
- III. The chief minister of a state constitutes a commission to review the financial position of panchayats at the intermediate levels and to make recommendations regarding the distribution of net proceeds of taxes and duties, leviable by the state, between the state and panchayats at the intermediate level.

Which of the statements given above are not correct?

- a. I and II only
- b. II and III only
- c. I and III only
- d. I, II and III

Correct Option: (d) All the statements are incorrect.

Statement I is incorrect.

Indian Polity, Page 376

However, a State with a population upto 20 lakh may not constitute panchayats at the intermediate level. Thus, it is optional for such a State to constitute panchayats at the intermediate level.

The Panchayat at the village level is usually called Gram Panchayats; the Panchayat at the Block or Tehsil level is usually called Panchayat Samiti or Block Samiti; and the Panchayat at the district level is usually called Zila Parishad. However, the names of Panchayats at the three levels may vary from State to State.

Statement II is incorrect.

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However, person who is less than twenty-five years of age, but if he has attained the age of twenty-one years is not disqualified. In other words, the minimum age for being a member of State legislature is 25 years, but **minimum age** for being member of Panchayats is **21** years.

2. If the person is disqualified under any law made by the Legislature of the State, then also he is disqualified to be member of Panchayats in the State.

Also, if any question arises as to whether a member of a Panchayat has become subject to any of the disqualifications, the question shall be referred for the decision of such authority as the Legislature of a State provides by law.

Statement III is incorrect.

State Finance Commission

The **Governor** of a State is required to constitute a finance commission after every five years to review the financial position of the Panchayats and to make recommendations to the Governor.

Prelims 2025 Questions	PrepMate IAS Notes - Miss
<p>Q2. Consider the following statements about Lokpal:</p> <p>I. The power of Lokpal applies to public servants of India, but not to the Indian public servants posted outside India.</p> <p>II. The Chairperson or a Member shall not be a Member of the Parliament or a Member of the Legislature of any State or Union Territory, and only the Chief Justice of India, whether incumbent or retired, has to be its Chairperson.</p> <p>III. The Chairperson or a Member shall not be a person of less than forty-five years of age on the date of assuming office as the Chairperson or Member, as the case may be.</p> <p>IV. Lokpal cannot inquire into the allegations of corruption against a sitting Prime Minister of India.</p> <p>Which of the statements given above is/are correct?</p> <p>a. III only b. II and III c. I and IV d. None of the above statements is correct</p> <p>Correct Option: (a)</p>	<p>Explanation:</p> <p>Statement 1 is incorrect: This Act the Lokpal and Lokayuktas Act, 2013. extends to the whole of India. It shall apply to public servants in and outside India.</p> <p>Statement 2 is incorrect: A person who is or has been a Chief Justice of India or is or has been a Judge of the Supreme Court.</p> <p>Statement 3 is correct: As per Section 3 of the Lokpal and Lokayuktas Act, 2013 ,which contains the qualification - The Chairperson or a Member shall not be a person of less than forty-five years of age, on the date of assuming office as the Chairperson or Member, as the case may be.</p> <p>Statement 4 is incorrect: In terms of Section 14 of the Act, a complaint can be filed against Any person who is or has been a Prime Minister.</p>

Q3. Consider the following statements with regard to pardoning power of the President of India:

- I. The exercise of this power by the president can be subjected to limited judicial review.
- II. The president can exercise this power without the advice of the central government.

Which of the statements given above is/are correct?

- a. I only
- b. II only
- c. Both I and II
- d. Neither I nor II

Correct Option: (a)

Statement I is correct.

Indian Polity, Page 109

Judicial review is part of basic structure.

The Supreme Court has neither defined basic structure nor given any exhaustive list as to what comprises the basic structure of constitution. However, Supreme Court, in its various judgments, has mentioned that following provisions are a part of the basic structure of constitution:

1. Sovereignty of India
2. Secularism
3. Democracy
4. Republic
5. Free and fair elections
6. Judicial Review
7. Balance between Fundamental rights and Directive Principles
8. Limited power of the Parliament to amend the Constitution

Statement II is incorrect.

Indian Polity, Page 163

Nature of Pardoning Powers

It is an executive power exercised by the President on the aid and advice of the Council of Ministers. Thus, it is not a discretionary power of the President.

Moreover, Union executive does not arrange a Court of appeal while listening to pardoning matters. Thus, the petitioner has no right of oral hearing before the Union Executive. The petition for seeking pardon is submitted in form a file. Union executive usually Home Ministry takes the decision on the submitted file.

Most of the pardoning petitions filed with the President pertain to revocation of death penalty. President does not need to specify reasons for granting or refusing pardon.

Q4. Consider the following statements:

- I. On the dissolution of the house of the people, the speaker shall not vacate his/her office until immediately before the first meeting of the house of the people after the dissolution.
- II. According to the provisions of the constitution of India, a member of the house of the people on being elected as speaker shall resign from his/her political party immediately.
- III. The speaker of the house of the people may be removed from his/her office by a resolution of the house of the people passed by a majority of all the then members of the house, provide that no resolution shall be moved unless at least fourteen days' notice has been given of the intention to move the resolution.

Which of the statements given above are correct?

- a. I and II only
- b. II and III only
- c. I and III only
- d. I, II and III

Correct Option: (c)

Statement I is correct.

Polity, Page 211

Tenure: The tenure of Speaker is the same as that of Lok Sabha. Thus, the Speaker continues in office till the life of the Lok Sabha. There is a need of small clarification here. Even after the dissolution of Lok Sabha, the Speaker continues in office until immediately before the first meeting of the newly elected Lok Sabha. Such an arrangement has been

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Statement II is incorrect.

Polity, Page 214

Speaker In India and United Kingdom

In the United Kingdom, the convention of 'once a speaker, always a speaker' is followed. As soon as the Speaker is appointed in the UK, there is a convention that the Speaker has to resign from the political party. Thus, the Speaker of House of Commons (equivalent to Lok Sabha in India) is a non-party person. This convention helps Speaker in maintaining his independence and impartiality.

However, the resignation from the parent political party act against the political career of the speaker as he would not get the support of the parent political party in the next elections. In order to overcome this limitation, Speaker can contest the next elections and, in such elections, he is unopposed by the major political parties, including the original party of which he was member. The major political parties do not field candidate against the Speaker. Thus, the Speaker's constituency virtually remains unchallenged in the election. Therefore, it is easier for the Speaker to get elected again to the house as member. After being elected as member, since the person has prior experience of serving as Speaker and is already a non-party person, he is often considered by members of the house for being elected as Speaker. Thus, the convention of not fielding candidate against the Speaker in the elections is called 'once a speaker, always a speaker'.

However, in India, it depends upon the speaker itself. The Speaker may or may not resign from his political party. Thus, the convention of Speaker resigning from political party is not firmly established in India. It is to be noted that if Speaker decides to resign from political party, he is not disqualified under anti-defection law.

Statement III is correct.
Polity Page 213

1. Security of Tenure: Speaker is provided with a security of tenure. Speaker can be removed only by a resolution passed by the Lok Sabha by an effective majority (i.e. a majority among then members of the House). The motion of removal can be considered only when it has the support of at least 50 members. Further, the motion can be moved only after 14 days' advance notice.

Prelims 2025 Questions	PrepMate IAS Notes - Hits
<p>Q5. Consider the following statements:</p> <ol style="list-style-type: none"> I. If any question arises as to whether a member of the house of the people has become subject to disqualification under the 10th schedule, the president's decision in accordance with the opinion of the council of union ministers shall be final. II. There is no mention of the word 'political party' in the constitution of India. <p>Which of the statements given above is/are correct?</p> <ol style="list-style-type: none"> a. I only b. II only c. Both I and II d. Neither I nor II <p>Correct Option: (b)</p>	<p>Statement I is incorrect. Polity, Page 502</p> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p>Application of the law: The presiding officer of the house is responsible for the application of anti-defection law. The law provides that if any question arises as to whether a member of a House has become subject to disqualification under this Schedule, the question shall be referred for the decision of the Chairman or, as the case may be, the Speaker of such House and his decision shall be final. Moreover, the law does not prescribe the time frame within which the presiding officer is required to decide the fate of the legislator accused under this law.</p> </div> <p>Statement II is correct: There is no mention of the word 'political party' in the Constitution of India.</p>

Prelims 2025 Questions	PrepMate IAS Notes - Hits
<p>Q6. Consider the following statements: Statements I: In India, state governments have no power for making rules for grant of concessions in respect of extraction of minor minerals even though such minerals are located in their territories. Statements II: In India the central government has the power to notify minor minerals under the relevant law. Which one of the following is correct in respect of the above statements?</p> <ol style="list-style-type: none"> Both statement I and Statement II are correct and statement II explains statement I Both statement I and Statement II are correct but statement II are correct but statement II does not explain statement I Statement I is correct but statement II is not correct Statement I is not correct but statement II is correct <p>Correct Option: (d)</p>	<p>Statement I is incorrect. Once we identify Statement I is correct, answer is option (d). Mines fall under State List</p> <div> <p>19. (Omitted) 20. (Omitted) 21. Fisheries 22. Courts of wards 23. Regulation of mines and mineral development 24. Industries other than those mentioned in Union list 25. Gas and gas-works 26. Trade and commerce within the state subject to the provisions of entry 33 of List III 27. Production, supply and distribution of goods subject to the provisions of entry 33 of List III 28. Markets and fairs</p> </div> <p>Statement 1 is incorrect and Statement 2 is correct August 24 Edition</p>

And why did the court find that states have the power to tax 'mineral development'?

The second aspect that the court considered was whether states have the power to tax mineral development activities, or whether such taxes are the sole province of the Centre under the MMDRA. This friction can be traced to the Seventh Schedule of the Constitution.

Under the **State List**, states are given the exclusive power to make laws relating to "Taxes on **mineral rights** subject to any limitations imposed by Parliament by law relating to mineral development" (Entry 50). However, **Entry 54 of the Union List** gives the Centre the power over "Regulation of mines and mineral development to the extent to which... is declared by Parliament by law to be expedient in the public interest".

According to the India Cement position, the royalty collected by state governments under the MMDRA would be in the form of a tax which "covers the field", barring any further taxes from being imposed. However, the court in Mineral Area Development Authority held that royalty is not a tax. As a result, "royalty would not be comprehended within the meaning of the expression 'taxes on mineral rights'" (under Entry 50 of the State List). Effectively, the court held that the MMDRA only gives states another revenue stream through royalties, and does not interfere with states' powers to impose taxes under Entry 50.

The court also held that Parliament's powers under Entry 54 of the Union List do not extend to imposing taxes, as that power exclusively rests with state legislatures. However, Entry 50 allows Parliament to place "any limitations" on states' power to impose taxes, which the court held "may include even a 'prohibition'" against imposing taxes.

The court did not limit states' power to tax mineral development activities to Entry 50, though. It held that the state also had the power to tax the land where mines and quarries are located as it includes "(i) all types of lands; and (ii) covers everything under or over land". These taxes, the court held, "will not be affected by the MMDR Act".

Prelims 2025 Questions	PrepMate IAS Notes - Hits
<p>Q7. With reference to the Indian polity, consider the following statements:</p> <ol style="list-style-type: none"> I. An ordinance can amend any central act. II. An ordinance can abridge a fundamental right. III. An ordinance can come into effect from a back date. <p>Which of the statements given above are correct?</p> <ol style="list-style-type: none"> a. I and II only b. II and III only c. I and III only d. I, II and III <p>Correct Option: (c)</p>	<p>Statements I and III are correct. Polity, Page 250</p> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p>Power of an Ordinance An Ordinance shall have the same force and effect as an Act of Parliament. Thus, an ordinance has same power as that of a law passed by the Parliament. This has two implications:</p> <ol style="list-style-type: none"> 1. Ordinance can be issued only on those matters on which Parliament can make laws. Thus, like law by Parliament, an ordinance can have retrospective effect. In other words, an ordinance can come into effect from back date. An ordinance can even modify or repeal the law passed by Parliament. However, Ordinance cannot be passed to undertake Constitutional amendment. 2. Ordinance cannot be issued on those matters on which Parliament does not has power to make laws. Thus, ordinance cannot violate the fundamental rights because Article 13 provides that a law which abridges or takes away fundamental rights is void. </div>

Q8. Consider the following pairs:

State	Description
1. Arunachal Pradesh:	The capital is named after a fort, and the State has two national parks
2. Nagaland:	The state came into existence on the basis of a constitutional amendment act
3. Tripura:	Initially a part 'C' State, it became a centrally administered territory with the reorganization of states in 1956 and later attained the status of a full-fledged state

How many of the above pairs are correctly matched?

- a. Only one
- b. Only two
- c. All the three
- d. None

Correct Option: (c)

Pair I is correctly matched.

Pair II is correctly matched

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Special provisions with respect to Nagaland

The 13th amendment act of 1962 introduced the Article 371A to provide for special provisions with respect to Nagaland.

Article 371A makes following provisions for Nagaland:

1. The acts of Parliament related to following matters would not apply to Nagaland unless State Legislative Assembly approves:

- (a) Religious or social practices of Nagas.
- (b) Naga customary law and procedure.
- (c) Administration of civil and criminal justice according to Naga customary law and procedure.
- (d) Ownership and transfer of land and its resources.

2. Governor of Nagaland shall have special responsibility for law and order in the state so long as internal disturbance caused by hostile Nagas continue.

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Pair III is correctly matched.

Page 27, India After Independence

Meghalaya, Manipur and Tripura were formed as full-fledged states in 1972. Before this, in 1969 Meghalaya was carved out of Assam with semi-autonomous status. It had complete control over administration except for law and order. Meghalaya was converted into full-fledged state in 1972. At the same time, UT of Manipur and Tripura were also given statehood.

Q9. With reference to India consider the following:

1. The inter-state council
2. The national security council
3. Zonal councils

How many of the above were established as per the provisions of the constitution of India?

- a. Only one
- b. Only two
- c. All the three
- d. None

Correct Option: (a)

Only Statement 1 is correct.

Polity, Page 418

not let tribunal members complete their work.

- These tribunals are headed by retired Supreme Court judges. Sometimes these judges avoid delivering unpopular judgements.

- State Governments often do not agree to decisions given by tribunal and approach the Supreme Court on one pretext or the other.

2. Inadequacy related to structure

-The working of inter-states water disputes Tribunals also suffers due to lack of infrastructure such as office space and staff with the tribunal.

- Unlike regular courts, the adhoc water disputes tribunals lack the mechanism to enforce their decisions.

Interstate council

Art. 263 authorizes President to establish interstate council to secure coordination among states and between Centre and states.

President can define the nature of duties to be performed by such council and also organization and procedure of such council.

secretariat of zonal councils.

Zonal Councils

These are statutory (and not constitutional) bodies as they were created under Parliamentary law. Five Zonal Councils were created under States Reorganization Act, 1956, namely, Northern, Southern, Eastern, Western, and Central Zonal Council. A separate North-East Zonal Council was created in 1971.

Zonal Councils also act as deliberative and advisory bodies on National integration, Law and order, Execution of development projects, Exchange of ideas, and so on.

The composition of each Zonal Council is as follows:

- (a) Union Home Minister is the chairperson
- (b) Chief Ministers of all states in the zone.
- (c) Two other ministers from each state in the zone.
- (d) Administrator of each Union Territory in the zone.

However, the composition of North East Council is different.

Though President can define nature of duties of such council, Art. 263 specifies that duties of following types can be assigned to the council:

1. Advising upon disputes which may arise between states.
2. Discussing matters in which states or center and the states have common interest.
3. Recommendations for coordination of policy and action among various states.

Under provisions of Art. 263, President has established Central Council of Health and Family Welfare, Central Council of Local Government and others.

In 1990, Central Government established interstate council dealing with general issues and it was named as Inter-Governmental Council to differentiate it from other councils established under Art. 263.

Composition of Inter-Governmental Council:

- (a) Prime Minister as Chairperson
- (b) Six cabinet ministers including Union Home Minister
- (c) Chief Ministers of all states and Union Territories
- (d) Administrator of Union Territories

The council is expected to meet at least thrice a year. There is also a standing committee associated with the

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As per the provisions of the North Eastern Council (Amendment) Act, 2002, the North Eastern Council shall consist of the following members:

- (i) Governors of States
- (ii) Chief Ministers of States
- (iii) three members to be nominated by the President

Home Minister of India is not a member of North-East Council.

Articles related to Inter-State Relations at a glance

Article No.	Subject Matter
261	Public acts, records and judicial proceedings
262	Adjudication of disputes relating to waters of inter-State rivers or river valleys
263	Provisions with respect to an inter-State Council

Practice Questions

1. Consider the following statements:

1. The Public Acts of one State are given respect throughout the territory of India.

Q10. Consider the following statements:

- I. The constitution of India explicitly mentions that in certain spheres the governor of a state acts in his/her own, discretion.
- II. The president of India can, of his/her own, reserve a bill passed by a state legislature for his/her consideration without it being forwarded by the governor of the state concerned.

Which of the statements given above is/are correct?

- a. I only
- b. II only
- c. Both I and II
- d. Neither I nor II

Correct Option: (c)

Statement I is correct.

Polity, Page 313

Council of Ministers to aid and advise Governor (Art. 163)

As per Article 163 (1), there shall be a Council of Ministers headed by chief Minister to aid and advise the Governor in the exercise of his functions, except when he is required to exercise the functions in his discretion.

Further, as per Article 163(2), if any question arises whether the matter falls under the discretionary power of the Governor or not, the decision of the Governor shall be final in this regard. Also, the validity of anything done by the Governor shall not be called in question on the ground that he ought or ought not to have acted in his discretion.

Also, on lines of Art. 74(2), as per Article 163(3), the question cannot be raised in any court on what advice was tendered by Ministers to the Governor.

If we compare the provisions of Article 74 and 163, which talk about the position of President and Governor vis-à-vis their respective Council of Ministers, then we identify the following differences:

1. Article 163(1) recognises that there are functions which the Governor is required to exercise in his discretion.
2. The 42nd amendment act added the clause 'who shall act in accordance with such advice' in Article 74(1). Thus, it was clearly spelt out that the President shall act according to the aid and advice of the Union Council of Ministers. However, no such insertion was made in Article 163(1), thus the scope for Governor's discretion was not reduced.
3. Article 163(2) clarifies that if any question arises whether the matter falls under the discretionary power of the Governor or not, the decision of the Governor shall be final in this regard.

Statement II is correct.
Polity, Page 344

Instructions required from President to promulgate ordinance on following matters

Governor cannot make an ordinance without the instructions from the President in three situations. To put in another way, Governor can promulgate ordinance in the following three situations only on the instructions of the President.

(a) A Bill containing the same provisions would have required the previous sanction of the President for its introduction in the State Legislature

(b) He would have deemed it necessary to reserve a Bill containing the same provisions for the consideration of the President

(c) An Act of the Legislature of the State containing the same provisions would have been invalid unless, the act had been reserved for the consideration of the President, and it had received the assent of the President.

Power of an Ordinance

An Ordinance shall have the same force and effect as an Act of State Legislature. Thus, an ordinance has same power as that of a law passed by the State Legislature. This has two implications:

Q11. Consider the following pairs:

	Provision in the Constitution of India	Stated under
I.	Separation of Judiciary from the Executive in the public services of the State	The Directive Principles of Policy
II.	Valuing and preserving of the rich heritage of our composite culture	The Fundamental Duties
III.	Prohibition of employment of children below the age of 14 years in factories	The Fundamental Rights

How many of the above pairs are correctly matched?

- Only one
- Only two
- All the three
- None

Correct Option: (c)

Pair I is correctly matched.

Polity, Page 131

Article 50 declares that the State shall take steps to separate the judiciary from the executive in the public services of the State.

In other words, Article 50 requires that judicial powers should not vest in the executive. Why? If both executive and judicial powers vest in a single body, then the chances of arbitrary use of powers increases and the check on the powers reduces. For instance, the wrongful act by the executive is questionable before the judiciary. However, if executive is conferred judicial powers as well, then executive will be judge in his own case.

Pair II is correctly matched.

Polity, Page 144

List of fundamental duties

The fundamental duties are applicable only to the citizens (not all individuals) of India. Thus, these duties are not applicable to foreigners in India.

The Article 51A declares that following are the fundamental duties of every citizen of India:

- (a) to abide by the Constitution and respect its ideals and institutions, the National Flag and the National Anthem
- (b) to cherish and follow the noble ideals which inspired our national struggle for freedom
- (c) to uphold and protect the sovereignty, unity and integrity of India
- (d) to defend the country and render national service when called upon to do so
- (e) to promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities; to renounce practices derogatory to the dignity of women
- (f) to value and preserve the rich heritage of our composite culture

Pair III is correctly matched.

Polity, Page 95

...purchase can be for slavery, forced labour or for immoral activities such as prostitution. To check human trafficking and prescribe stringent punishments for those involved in human trafficking, parliament has passed Immoral Traffic (Prevention) Act, 1956.

Article 24: Prohibits child labour

Article 24 prohibits the employment of children below 14 years of age in any factory or mine or any other hazardous employment. Thus, Article 24 does not put complete ban on child labour. It only prohibits child labour in hazardous industries. In other words, Article

Prelims 2025 Questions	PrepMate IAS Notes - Hits
<p>Q12. Consider the following statements: With reference to the Constitution of India, if an area in a State is declared as Scheduled Area under the Fifth Schedule</p> <p>I. the State Government loses its executive power in such areas and local body assumes total administration</p> <p>II. the Union Government can take over the total administration of such areas under certain circumstances on the recommendations of the Governor</p> <p>Which of the statements given above is/are correct?</p> <p>[A] I only [B] II only [C] Both I and II [D] Neither I nor II</p> <p>Correct Option: (d)</p>	<p>Statement I is incorrect. Polity, Page 400</p>

Administration of Scheduled Areas

As mentioned above, the Administration of Scheduled Areas is undertaken as per the Fifth Schedule of the Constitution. The Provisions of this Schedule are as follows:

1. Scheduled Areas

In this Constitution, the expression “Scheduled Areas” means such areas as the President declare by order to be Scheduled Areas.

Thus, the constitution authorizes the President to declare an area as Scheduled Area. At present (2023), the President has declared the Scheduled areas in 10 States. These States are Andhra Pradesh, Telangana, Jharkhand, Chhattisgarh, Gujarat, Himachal Pradesh, Madhya Pradesh, Maharashtra, Odisha and Rajasthan.

Further, the President is authorized to pass order increase or decrease a Schedules area, rectify the boundaries of a Scheduled area, rescind designation of a Scheduled Area or redefine an area to be Scheduled Area.

However, the President can pass order to increase a Schedule Area or redefine a Scheduled Area only in consultation of the State Governor concerned.

2. Executive Power over Scheduled Areas

The State government enjoys the Executive power over the Scheduled Areas. Further, The Governor of each State having Scheduled Areas is required to report to the President regarding the administration of the Scheduled Areas. Such a report is submitted to the President either annually, or whenever so required by the President. The Union govt. can give directions to the State as to administration of Scheduled Areas.

Statement II is incorrect.

Polity Page 400

No provision of Union government taking over administration.

4. Law applicable to Scheduled Areas

The Governor of a State may by public notification direct that any particular Act of Parliament or of the Legislature of the State shall either not apply or apply with modifications to a Scheduled Area or any part thereof. Such a public notification may even have retrospective effect (effect from back date).

Also, Governor of a State may make regulations for the peace and good government of any Scheduled area in a State. Among other provisions, such regulations may cover the following matters:

- (a) prohibit or restrict the transfer of land by or among members of the Scheduled Tribes;
- (b) regulate the allotment of land to members of the Scheduled Tribes;
- (c) regulate the business of money-lending by persons who lend money to the Scheduled Tribes.

In order to make such regulations, the Governor may repeal or amend any Act of Parliament or of the State Legislature. The regulations made by Governor are submitted to the President. Such regulations do not come into effect without the assent of the President.

It is mandatory on the Governor to consult State Tribes Advisory Council for making such regulations.

Prelims 2025 Questions	PrepMate IAS Notes - Hits
<p>Q13. Consider the following subjects under the Constitution of India:</p> <p>I. List I-Union List, in the Seventh Schedule</p> <p>II. Extent of the executive power of a State</p> <p>III. Conditions of the Governor's office</p> <p>For a constitutional amendment with respect to which of the above, ratification by the Legislatures of not less than one-half of the States is required before presenting the bill to the President of India for assent?</p> <p>[A] I and II only [B] II and III only [C] I and III only [D] I, II and III</p> <p>Correct Option: (a)</p>	<p>Polity Page 228</p> <p>If the constitutional amendment bill seeks to amend any of the provisions which relate to the division of powers between Centre and states, then the bill after being passed by both the houses of Parliament shall be ratified by at least half of the state legislatures before receiving the assent of the President. Thus, if distribution of powers between Centre and States is to be altered, then the approval of atleast half of the State legislatures is also required.</p> <p>As mentioned in the Constitution, the following matters involve division of powers between the Centre and the States:</p> <ol style="list-style-type: none"> I. Executive matters: <ol style="list-style-type: none"> a. Election of President (Art. 54 & Art. 55) b. Art. 73 Extent of executive power of the Union c. Art. 162 Extent of executive power of a State II. Legislative matters: <ol style="list-style-type: none"> a. Centre-state legislative relations b. Lists in the Seventh Schedule III. Provisions related to Union and State Judiciary IV. Representation of States in Parliament V. Provisions of Art 368 itself

Prelims 2025 Questions	PrepMate IAS Notes - Hits
<p>Q14. With reference to the Indian polity, consider the following statements:</p> <p>I. The Governor of a State is not answerable to any court for the exercise and performance of the powers and duties of his/her office.</p> <p>II. No criminal proceedings shall be instituted or continued against the Governor during his/her term of office.</p> <p>III. Members of a State Legislature are not liable to any proceedings in any court in respect of anything said within the House.</p> <p>Which of the statements given above are correct?</p> <p>[A] I and II only [B] II and III only [C] I and III only [D] I, II and III</p> <p>Correct Option: (d)</p>	<p>Statements I and II are correct. Polity, Page 81</p> <div> <p>However, there are few exceptions to the principle of equality before law guaranteed by Article 14. These exceptions are given under Article 361 of the Constitution in respect of President and Governors:</p> <p>1. The President or Governor is not answerable to the Court of Law in exercise of his or her executive powers. This exception is given because the President or Governor acts on the advice of the respective Council of Ministers.</p> </div>

2. No criminal proceedings can be undertaken against the President or Governor while they are in office. This is inspired from the maxim "rex non potest peccare", which means that the king can do no wrong. In the Indian context, it is applied to maintain the sanctity of the office and avoid undue pressure on the President or Governor while discharging their duties. However, it does not mean that the President or Governor is above law. Criminal proceedings are undertaken against the president or governor after their removal from office.

3. No civil proceedings can be initiated against the President or Governor without giving prior notice of two months. Civil proceedings against the President or Governor may generate pressure on them and hamper their functioning. Thus, a time period of two months is given for an adequate preparation to face civil proceedings.

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Statement III is correct.

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State Legislature Privileges

The Constitution extends the Parliamentary Privileges to State Legislatures, their committees and their members by incorporating Article 194 in the Constitution. In other words, the State legislatures, their committees and their members enjoy the same privileges as those enjoyed by the Parliament, its committees and its members respectively.

Article 194 extends these privileges to persons who have right to speak and take part in parliamentary proceedings. Thus, these privileges are also available to Advocate General and State Ministers.

However, these privileges are not applicable to Governor, though he is an integral part of State Legislature.

Sources of Parliamentary Privileges

Article 194 of the Constitution expressly mentions two privileges:

1. Freedom of speech and vote to members of Parliament
2. Right of publication of its proceedings

Apart from these two privileges, the original constitution provided that the other privileges were to be the same as those enjoyed by the British House of Commons, its committees and its members on the date of the commencement of the Constitution (i.e., 26 January 1950), until the Privileges are defined by State Legislature.