

UPSC CURRENT AFFAIRS MCQS 02-10-2023

Q1. Consider the following statements:

1. The Constitution of India prohibits the court from initiating proceedings against a Governor or the President for any act done in exercise of their powers.
2. The Constitution of India does not fix any timeline for the Governor to decide the question of assent to a Bill.
3. Governor's action of withholding assent to a Bill cannot be struck down as unconstitutional by the courts.

How many of the above statements is/are correct?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

Answer: (b)

Explanation: Article 361 of the Constitution prohibits the court from initiating proceedings against a Governor or the President for any act done in exercise of their powers. They enjoy complete immunity from court proceedings.

It may be noted that the Governor while declaring that he withholds assent will have to disclose the reason for such refusal. If the grounds for refusal disclose mala fide or extraneous considerations or ultra vires, the Governor's action of refusal could be struck down as unconstitutional. This point has been settled by a Constitution bench of the Supreme Court in Rameshwar Prasad and Ors. vs Union of India and Anr.

Since the Constitution does not fix any timeline for the Governor to decide the question of assent, he can wait for any length of time without doing anything. Not fixing any time line does not and cannot mean that the Governor can indefinitely sit on the Bill that has been passed by an Assembly.

Hence, statement 3 is incorrect.

Q2. Consider the following statements regarding Split verdict delivered by Supreme Court:

1. A split verdict is passed when the Supreme Court Bench cannot decide one way or the other in a case, either by a unanimous decision or by a majority verdict.
2. Split verdicts can happen even when the Bench has an odd number of judges.
3. In case of a split verdict, the case is heard by a larger Bench.

How many of the above statements is/are incorrect?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

Answer: (a)

Explanation: A split verdict is passed when the Bench cannot decide one way or the other in a case, either by a unanimous decision or by a majority verdict. Split verdicts can only happen when the Bench has an even number of judges. This is why judges usually sit in Benches of odd numbers (three, five, seven, etc.) for important cases, even though two-judge Benches — known as Division Benches — are not uncommon. In case of a split verdict, the case is heard by a larger Bench. The larger Bench to which a split verdict goes can be a three-judge Bench of the High Court, or an appeal can be preferred before the Supreme Court. Hence, only statement 2 is incorrect.

Q3. The Constitution defines the territorial limits of the legislative powers vested in the Centre and the states in which of the following ways?

1. The Parliament can make not only territorial laws within India but also 'extra-territorial laws' that are applicable to Indian citizens throughout the world.
2. The laws made by a state legislature are not applicable outside the state, except when there is a sufficient nexus between the state and the object.

Which of the above statements is/are correct?

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

Answer: (c)

Explanation: The Parliament can make laws for the whole or any part of the territory of India. The territory of India includes the states, the union territories, and any other area for the time being included in the territory of India. A state legislature can make laws for the whole or any part of the state. The laws made by a state legislature are not applicable outside the state, except when there is a sufficient nexus between the state and the object. The Parliament alone can make 'extra-territorial legislation'. Thus, the laws of the Parliament are also applicable to the Indian citizens and their property in any part of the world. Hence, both statements are correct.

Q4. Consider the following statements regarding Comptroller and Auditor General of India (CAG):

1. CAG is an extra constitutional body, who is the head of the Indian Audit and Accounts Department.
2. The duty of CAG is to uphold the Constitution of India and the laws of Parliament in the field of financial administration.
3. CAG is the guardian of the public purse and controls the financial system of the country at both the levels- the centre and state.

How many of the above statements is/are correct?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

Answer: (b)

Explanation: The Constitution of India provides for an independent office of the Comptroller and Auditor General of India (CAG) in chapter V under Part V. The CAG is mentioned in the Constitution of India under Article 148 – 151. He is the head of the Indian Audit and Accounts Department. He is the guardian of the public purse and controls the financial system of the country at both the levels- the centre and state. His duty is to uphold the Constitution of India and the laws of Parliament in the field of financial administration. Hence, statement 1 is incorrect.

Q5. Consider the following statements:

1. The guidelines for registration of political parties are issued under Representation of the People Act, 1951.
2. The Election Commission of India (ECI) has statutory power to enforce internal democracy in political parties and to remind parties to conduct elections and to ensure that their leadership is renewed, changed or re-elected every five years.

Which of the above statements is/are correct?

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

Answer: (a)

Explanation: The ECI has periodically used guidelines issued for registration of parties under Section 29A of the Representation of the People Act, 1951 to



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remind parties to conduct elections and to ensure that their leadership is renewed, changed or re-elected every five years. But the commission does not have any statutory power to enforce internal democracy in parties or to mandate elections. Hence, statement 2 is incorrect.