

UPSC 2021 Prelims
POLITY Answer Key with Explanation

1. We adopted parliamentary democracy based on the British model, but how does our model differ from that model?

1. As regards legislation, the British Parliament is supreme or sovereign but in India, the power of the Parliament to legislate is limited.

2. In India, matters related to the constitutionality of the Amendment of an Act of the Parliament are referred to the Constitution Bench by the Supreme Court.

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

Answer: A

Explanation

- Parliamentary sovereignty 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.
- Indian Parliament is not a sovereign body like the British Parliament. The Indian Parliament may, in exercise of its constituent power, amend by way of addition, variation or repeal any provision of the Constitution in accordance with the procedure laid down for the purpose. However, the Parliament cannot amend those provisions which form the 'basic structure' of the Constitution. This was ruled by the Supreme Court in the Kesavananda Bharati case (1973). Hence **statement 1 is correct**.

2. With reference to the Union Government, consider the following statement:

1. N. Gopaldaswamy Iyengar Committee suggested that a minister and a secretary be designated solely for pursuing the subject of administrative reform and promoting it.
2. In 1970, the Department of personnel was constituted on the recommendation of the Administrative Reforms Commission, 1966, and this was placed under the Prime Minister's charge.

Which of the statement given above is/are corrected?

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

Answer: D*

***=Doubtful**

3. 'Right to Privacy' is protected under which Article of the Constitution of india?

- (a) Article 15
- (b) Article 19
- (c) Article 21
- (d) Article 29

Answer: C

K.S. Puttaswamy case 2017 inserted Right to Privacy under Article 21 of our Indian Constitution.

<https://www.thehindu.com/opinion/op-ed/are-indias-laws-on-surveillance-a-threat-to-privacy/article25844250.ece>

4. Consider the following statement:

1. In India, there is no law restricting the candidates from contesting in one Lok Sabha election from three constituencies.
2. In the 1991 Lok Sabha Election, Shri Devi Lal contested from three Lok Sabha constituencies.
3. As per the existing rules, if a candidate contests in one Lok Sabha election from many Constituencies, his/her party should bear the cost of bye-elections to the constituencies vacated by him/her in winning in all the constituencies.

Which of the statements given above is/are corrected?

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

Answer: B

Explanation

- The Representation of the People Act, 1951 allows a person to contest a general election or by-elections or biennial elections from a maximum of two constituencies but the candidate can retain only one. Before a 1996 amendment in the electoral laws, there was no bar on the number of seats a person could contest. Hence **statement 1 is incorrect.**
- In the 1991 Lok Sabha Election, Shri Devi Lal contested from three Lok Sabha constituencies. Hence **statement 2 is correct.**
- There is no such provision if a candidate contests in one Lok Sabha election from many Constituencies, his/her party should bear the cost of bye-elections to the constituencies vacated by him/her in winning in all the constituencies. Hence **statement 3 is incorrect.**

https://economictimes.indiatimes.com/news/politics-and-nation/bar-people-from-contesting-from-two-seats-election-commission/articleshow/55960421.cms?utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst

5. Consider the following statement:

1. 'Right to the City' is an agreed human right and the UN-Habitat monitors the commitments made by each country in this regard.
2. 'Right to the City' gives every occupant of the city the right to reclaim public spaces and public participation in the city.
3. 'Right to the City' means that the State cannot deny any public service or facility to the Unauthorized colonies in the city.

Which of the statements given above is/are correct?

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

Answer: D

Explanation

- The Right to the City is the right of all inhabitants (present and future, permanent and temporary) to inhabit, use, occupy, produce, transform, govern and enjoy cities, towns and human settlements that are just, inclusive, safe, sustainable and democratic, defined as common goods for enjoying life with dignity and peace. The right to the city further implies responsibilities on governments and people to claim, defend, and promote this right.
- This right claims for: the social function of the city; quality public spaces; sustainable and inclusive rural-urban linkages; inclusive economies; inclusive citizenship; **enhanced political participation**; non-discrimination; gender equality; and cultural diversity
Hence statement 2 is correct.

<https://mirror.unhabitat.org/documents/SOWC10/R12.pdf>

6. At the national level, which ministry is the nodal agency to ensure effective implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of forest Rights) Act, 2006?

- (a) Ministry of Environment, Forest and Climate change
- (b) Ministry of Panchayati Raj
- (c) Ministry of Rural Development
- (d) Ministry of Tribal Affairs

Answer: D

Explanation

- Section 11 of Forest Rights Act, 2006 says that at the national level, forest and livelihood objectives are being dealt with by the Union Ministry of Tribal Affairs (MoTA), which is also the nodal ministry for minor forest produce and implementation of the Forest Rights Act (FRA), 2006.

<https://www.downtoearth.org.in/blog/forests/how-can-india-overcome-policy-and-institutional-gaps-in-forest-management-70718>

7. A legislation which confers on the executive or administrative authority an unguided and uncontrolled discretionary power in the matter of application of law violates which one of the Constitution of India?

- (a) Article 14
- (b) Article 28
- (c) Article 32
- (d) Article 44

Answer: A

Explanation

- It violates Right to equality under Article 14 of Indian Constitution as it provides discretionary powers to the executive authority.

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

- (a) The independence of the 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.

Answer: A

Explanation

- Option B and C are not appropriate because the Union legislature consists of both Lok Sabha and Rajya Sabha. Further Rajya Sabha in India is not truly federal as it consists of unequal representation from states.

9. 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

Answer: B

Explanation

- The word State means a community or society politically organised under one independent government within a definite territory. It alone has the prerogative of making laws. The lawmaking power derives from sovereignty, which is the most distinctive characteristic of the State.

<https://kkhsou.ac.in/eslm/E->

[SLM Main/5th%20Sem/Bachelor%20Degree/Sociology/Sociology%20Major/Sociology%20Major%202%20Block-1%20English/Unit%20-6.pdf](https://kkhsou.ac.in/eslm/E-SLM%20Main/5th%20Sem/Bachelor%20Degree/Sociology/Sociology%20Major/Sociology%20Major%202%20Block-1%20English/Unit%20-6.pdf)

10. With reference to Indian judiciary, consider the following statement:

1. Any retired judge of the Supreme Court of India can be called back to sit and act as a Supreme Court judge by the Chief Justice of India with prior permission of the President of India.
2. A High Court in India has the power to review its own judgement as the Supreme Court does.

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

Answer: C

Explanation

- Under Article 128 of the Constitution, the Chief Justice of India may, at any time, with the previous consent of the President, request any person who has held the office of a Judge of the Supreme Court to sit and act as a Judge of the Supreme Court. Hence **Statement 1 is correct.**
- Being A Court Of Record, High Court Can Review Its Own Judgments Under Article 226 of the Constitution. Hence **Statement 2 is correct.**

<https://www.livelaw.in/news-updates/settled-proposition-court-of-record-high-court-review-own-judgments-article-226-kerala-high-court-174922>

11. With reference to India, consider the following statement:

1. There is only one citizenship and one domicile.
2. A citizen by birth only can become the Head of State.
3. A foreigner once granted citizenship cannot be deprived of it under any circumstances.

Which of the statements given above is/are correct?

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

Answer: A

Explanation

- India has only one citizenship and one domicile and hence **statement 1 is correct.**
- Any citizen (natural or naturalised) can become head of state and **statement 2 is incorrect.**
- Foreigners once granted citizenship can be deprived of citizenship under circumstances as mentioned in the Citizenship Act. Hence **statement 3 is incorrect.**

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

- (a) A committed judiciary
- (b) Centralization of powers
- (c) Elected government
- (d) Separation of powers

Answer: D

Explanation

- Separation of powers between Legislature, Executive and Judiciary ensures Judiciary can safeguard liberty by enforcing rights.

13. Under the Indian Constitution concentration of wealth violates

- (a) The Right to Equality

- (b) The Directive Principles of State Polity
- (c) The Right to Freedom
- (d) The Concept of Welfare

Answer: B

- Article 39(c) of Indian Constitution that comes under **Directive Principles of State Policy** states that 'The State shall, in particular, direct its policy towards securing: that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment.'

14. What is the position of the Right to property in India?

- (a) Legal right available to citizens only
- (b) Legal right available to any person
- (c) Fundamental Rights available to citizens only
- (d) Neither Fundamental Right nor legal right

Answer: B

Explanation

- Article 300A - No person shall be deprived of his property save by authority of law. It has been reiterated as a constitutional right as per recent SC judgement. However, it is operationalised through a law and hence option B is more appropriate.

15. What was the exact constitutional status of India on 26th January, 1950?

- (a) A Democratic Republic
- (b) A Sovereign Democratic Republic
- (c) A Sovereign Secular Democratic Republic
- (d) A Sovereign Socialist Secular Democratic Republic

Answer: B

Explanation

- The words socialist and secular were added in 42nd Amendment Act,1976. Hence the exact constitutional status of India on 26th January,1950 was 'A Sovereign, Democratic Republic'.

16. Constitutional government means

- (a) A representative government of a nation with federal structure

- (b) A government whose Head enjoys nominal powers
- (c) A government whose Head enjoys real powers
- (d) A government limited by the terms of the Constitution.

Answer: D

Explanation

- The Constitution of a country should contain provisions to limit the authority of the government so that they don't override the Constitution and act in an arbitrary manner, which might threaten the rights of the individuals of the country, a situation which is regularly happening in dictatorships and military rules.
- Example: USA, India.

<https://blog.ipleaders.in/constitutionalism-limited-government/>

17. Consider the following statements in respect of Bharat Ratna and Padma Awards:

1. Bharat Ratna and Padma Awards are titles under the Articles 18(1) of the Constitution of India
2. Padma Awards, which were instituted in the year 1954, were suspended only once.
3. The number of Bharat Ratna Awards is restricted to a maximum of five in a particular year.

Which of the above statements are not correct?

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

Answer: D

Explanation

- **Statement 1 is incorrect** and these are not titles under Article 18(1) of Indian Constitution but civilian awards/honours.
- The Padma Bhushan, along with other personal civil honours, was briefly suspended **twice**, from July 1977 to January 1980 and from August 1992 to December 1995. Hence **Statement 2 is incorrect.**

- Maximum number of Bharat Ratna awards is 3 in a year. Hence **Statement 3 is also incorrect.**