

TNPSC Group II / IIA — Indian Polity

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A. Quick Revision Notes

Making of the Constitution

Constituent Assembly first met 9 Dec 1946. Drafting Committee chaired by Dr. B. R. Ambedkar. Constitution adopted 26 Nov 1949, came into force 26 Jan 1950. Framing took 2 years, 11 months, 18 days.

Preamble & salient features

Declares India a Sovereign, Socialist, Secular, Democratic Republic. 'Socialist', 'Secular' and 'Integrity' added by the 42nd Amendment (1976). Idea of a Preamble borrowed from the US Constitution; 'We, the People' = people are the source of authority.

Fundamental Rights

Part III, Articles 12–35. Six rights now (Right to Property removed by 44th Amendment). Equality (14–18), Freedom (19–22), Against Exploitation (23–24), Religion (25–28), Cultural & Educational (29–30), Constitutional Remedies (32 — 'heart and soul', Ambedkar). Five writs: Habeas Corpus, Mandamus, Prohibition, Certiorari, Quo Warranto.

Directive Principles & Fundamental Duties

DPSP: Part IV, Articles 36–51, borrowed from Ireland, non-justiciable. Fundamental Duties: Part IV-A, Article 51A, added by 42nd Amendment (Swaran Singh Committee); originally 10, now 11 (11th added by 86th Amendment).

Union Executive

President (Art 52) elected by an electoral college of elected MPs + elected MLAs (Art 54), term 5 years. Real executive power with the PM and Council of Ministers, collectively responsible to the Lok Sabha (Art 75).

Parliament

President + Lok Sabha (max 552) + Rajya Sabha (max 250, permanent, 1/3 retire every 2 years). Money Bill (Art 110) starts only in Lok Sabha on the President's recommendation.

Judiciary & Supreme Court

Supreme Court under Art 124; High Courts under Art 214. Powers of judicial review and as guardian of Fundamental Rights (Art 32). Judges appointed via the collegium system.

Centre-State relations & federalism

7th Schedule: Union, State and Concurrent Lists. Residuary powers with the Union (Art 248). Art 356 = President's Rule in a State.

State Government

Governor (Art 153–155) appointed by the President. Chief Minister is the real head; Council of Ministers responsible to the Vidhan Sabha. States may have a Vidhan Parishad (Legislative Council).

Local Self-Government & Panchayati Raj

73rd Amendment (1992): Panchayati Raj (Part IX, 11th Schedule, 29 subjects). 74th Amendment: Municipalities (Part IX-A, 12th Schedule, 18 subjects). Three-tier system recommended by the Balwant Rai Mehta Committee (1957).

Constitutional & statutory bodies

Constitutional bodies: Election Commission (324), UPSC (315), CAG (148), Finance Commission (280), Attorney General (76). NITI Aayog (2015) is an executive body, not constitutional, replacing the Planning Commission.

Elections & Election Commission

Election Commission established 25 Jan 1950 (National Voters' Day). First CEC: Sukumar Sen. Universal adult franchise (Art 326); voting age lowered 21→18 by the 61st Amendment (1988).

Amendments to the Constitution

Amendment procedure: Article 368. 42nd (1976) = 'Mini Constitution'. 44th (1978) removed Right to Property. 61st lowered voting age to 18. 73rd/74th = local bodies. 86th (2002) added Right to Education (Art 21A).

B. Practice MCQs (25)

- 1. The 42nd Constitutional Amendment (1976) is often called the 'Mini Constitution' because:**
 - (A) It was a small amendment with few changes
 - (B) It made sweeping changes including adding duties, altering the Preamble, and curtailing judicial review
 - (C) It was drafted by a small committee without Parliamentary debate
 - (D) It introduced a mini Constitution for state governments
- 2. Under Article 368, a Constitutional Amendment Bill requires Special Majority. Special Majority means:**
 - (A) Simple majority in both Houses
 - (B) Two-thirds majority of members present and voting, plus majority of total membership of each House
 - (C) Unanimity in both Houses
 - (D) Majority in Lok Sabha only, approved by President
- 3. The doctrine of 'Basic Structure' of the Constitution was established in which landmark case?**
 - (A) Golaknath v. State of Punjab (1967)
 - (B) Kesavananda Bharati v. State of Kerala (1973)
 - (C) Maneka Gandhi v. Union of India (1978)
 - (D) Minerva Mills v. Union of India (1980)
- 4. Emergency under Article 352 (National Emergency) requires approval of Parliament within how many days?**
 - (A) 15 days
 - (B) 1 month
 - (C) 3 months
 - (D) 6 months
- 5. The Right to Information Act (RTI) was enacted in which year, and what does Section 8 deal with?**
 - (A) 2002 — Exemptions from disclosure
 - (B) 2005 — Exemptions from disclosure
 - (C) 2005 — Central Information Commission
 - (D) 2003 — Public Information Officers
- 6. The Comptroller and Auditor General (CAG) of India submits his audit reports to:**
 - (A) Prime Minister
 - (B) Parliament (through the President) and respective State Legislatures (through Governors)
 - (C) Supreme Court
 - (D) Finance Ministry only
- 7. The Right to Education (RTE) Act 2009 mandates what specific provision for private unaided schools?**
 - (A) Free education for all children from Class 1 to 10
 - (B) 25% reservation of seats for economically weaker sections (EWS) in entry-level classes
 - (C) Mandatory mid-day meals for all students
 - (D) Prohibition of any fees from parents
- 8. Which of the following is a constitutional body in India?**
 - (A) Central Bureau of Investigation (CBI)
 - (B) National Human Rights Commission (NHRC)
 - (C) Union Public Service Commission (UPSC)
 - (D) National Green Tribunal (NGT)
- 9. Under which Constitutional Amendment was the Anti-Defection Law introduced in India?**
 - (A) 42nd Amendment
 - (B) 44th Amendment
 - (C) 52nd Amendment
 - (D) 73rd Amendment

10. The TNPSC (Tamil Nadu Public Service Commission) was established under which provision?

- (A) Article 315 of the Constitution
- (B) Article 320 of the Constitution
- (C) Under the Tamil Nadu Public Service Commission Act
- (D) Under both Article 315 and the Tamil Nadu Government Orders

11. 'Judicial Activism' in India primarily refers to:

- (A) Judges creating new legislation through their verdicts
- (B) Courts actively using Public Interest Litigation (PIL) and judicial review to protect constitutional rights
- (C) Judges participating in policy-making committees
- (D) Courts refusing to hear executive appeals

12. The Directive Principle under Article 44 calls for:

- (A) Equal pay for equal work
- (B) Organisation of village panchayats
- (C) Uniform Civil Code throughout India
- (D) Protection and improvement of environment

13. Which writs can be issued by High Courts under Article 226 but NOT by the Supreme Court under Article 32?

- (A) Habeas Corpus
- (B) Mandamus
- (C) Writs for enforcing non-fundamental constitutional rights or legal rights
- (D) Certiorari

14. The Gram Sabha is the foundation of Panchayati Raj. It consists of:

- (A) Elected members of the Gram Panchayat
- (B) All voters registered in the Gram Panchayat's electoral rolls
- (C) Village elders appointed by the Block Development Officer
- (D) Members nominated by the state government

15. Under which Article of the Indian Constitution can the President seek the advisory opinion of the Supreme Court?

- (A) Article 143
- (B) Article 136
- (C) Article 131
- (D) Article 32

16. In India, who exercises the power to pardon, reprieve, respite or remit a sentence in cases involving courts martial?

- (A) Chief Justice of India
- (B) President of India under Article 72
- (C) State Governor under Article 161
- (D) Prime Minister through Cabinet

17. The Lokpal and Lokayuktas Act, 2013 established the Lokpal as an:

- (A) Constitutional body under Article 315
- (B) Independent statutory body to inquire into allegations of corruption against public servants
- (C) Judicial body under the Supreme Court
- (D) Department of the Central Vigilance Commission

18. The Finance Commission of India is constituted under Article 280 every:

- (A) 3 years
- (B) 5 years
- (C) 10 years
- (D) As and when required by the President

19. The Preamble to the Indian Constitution describes India as a 'Sovereign Socialist Secular Democratic Republic'. What does 'Sovereign' mean in this context?

- (A) India is a monarchy with a sovereign king
- (B) India has supreme independent authority over its internal and external affairs, not subject to any external power
- (C) The President is the sovereign of India
- (D) India's Constitution is subordinate to international law

20. Which Committee recommended the creation of the TNPSC examination structure with Group 1, 2, 2A, 4 classifications?

- (A) Kothari Commission
- (B) Sarkaria Commission
- (C) Tamil Nadu Public Services Administrative Tribunal
- (D) Based on Tamil Nadu Government Orders and service rules under Tamil Nadu State and Subordinate Services Rules

21. The 'Basic Structure Doctrine' of the Indian Constitution was established by which Supreme Court case?

- (A) Golak Nath v. State of Punjab (1967)
- (B) Minerva Mills v. Union of India (1980)
- (C) Kesavananda Bharati v. State of Kerala (1973)
- (D) Shankari Prasad v. Union of India (1951)

22. Which article of the Indian Constitution abolishes untouchability?

- (A) Article 21
- (B) Article 14
- (C) Article 15
- (D) Article 17

23. The 44th Constitutional Amendment (1978) significantly altered the Indian Constitution by:

- (A) Adding Fundamental Duties
- (B) Creating the National Commission for Minorities
- (C) Introducing the Emergency provisions
- (D) Restoring the original right to property and removing it from Fundamental Rights to a legal right

24. Under the Indian Constitution, the President can proclaim a National Emergency under Article 352 only on the written advice of:

- (A) The Cabinet (Council of Ministers headed by PM)
- (B) The Parliament by a two-thirds majority
- (C) The Prime Minister alone
- (D) The Supreme Court Chief Justice

25. The concept of 'Constitutional Morality' was invoked in which recent Supreme Court landmark ruling?

- (A) Navtej Singh Johar v. Union of India (2018) — decriminalising homosexuality
- (B) Shreya Singhal v. Union of India (2015) — striking down Section 66A IT Act
- (C) NJAC judgment (2015) — striking down the National Judicial Appointments Commission
- (D) Both A and C

C. Answer Key & Explanations

1. **(B)** The 42nd Amendment (1976) made extensive changes: added Preamble words ('Socialist', 'Secular', 'Integrity'), inserted Fundamental Duties, curtailed judicial review, and extended the Lok Sabha term from 5 to 6 years.
2. **(B)** Special Majority under Article 368 requires: (1) a majority of the total membership of each House, AND (2) a two-thirds majority of members present and voting in each House.
3. **(B)** In Kesavananda Bharati v. State of Kerala (1973), a 13-judge Constitution Bench held (7:6) that Parliament can amend any provision but cannot alter its 'basic structure'.
4. **(B)** A National Emergency proclaimed under Article 352 must be approved by both Houses of Parliament by special majority within one month of its proclamation.
5. **(B)** The RTI Act was enacted in 2005 (effective 12 October 2005). Section 8 lists exemptions from disclosure, including matters affecting national security, cabinet papers, and personal privacy.

6. **(B)** Under Article 151, the CAG submits audit reports on Union accounts to the President (who lays them before Parliament) and on state accounts to the respective Governor (who lays them before the state legislature).
7. **(B)** Section 12(1)(c) of the RTE Act 2009 requires every private unaided school to admit at least 25% of its intake from children belonging to economically weaker sections and disadvantaged groups.
8. **(C)** UPSC is a constitutional body established under Article 315 of the Indian Constitution. Its members can only be removed through a process similar to that of a Supreme Court judge.
9. **(C)** The 52nd Constitutional Amendment Act, 1985 inserted the Tenth Schedule to the Constitution — the Anti-Defection Law, to prevent legislators from switching parties after election.
10. **(A)** TNPSC was established under Article 315 of the Indian Constitution, which provides for a State Public Service Commission for each state.
11. **(B)** Judicial activism refers to the Supreme Court and High Courts going beyond narrow interpretation to actively protect fundamental rights, particularly through PIL jurisdiction (expanded post-1979).
12. **(C)** Article 44 directs the state to endeavour to secure for citizens a Uniform Civil Code (UCC) throughout India — a single set of civil laws governing marriage, divorce, inheritance for all citizens regardless of religion.
13. **(C)** Under Article 226, High Courts can issue writs for the enforcement of Fundamental Rights AND for any other legal purpose. The Supreme Court under Article 32 can issue writs only for enforcement of Fundamental Rights.
14. **(B)** The Gram Sabha consists of all persons whose names are included in the electoral rolls relating to a village within the area of the Panchayat — i.e., all adult voters of the village.
15. **(A)** Article 143 empowers the President to refer questions of law or fact of public importance to the Supreme Court for its advisory opinion.
16. **(B)** Article 72 empowers the President of India to grant pardons, reprieves, respites or remissions in cases involving courts martial, offences against Union law, or death sentences.
17. **(B)** The Lokpal (for the Union) and Lokayuktas (for states) are independent statutory bodies empowered to inquire into and investigate corruption allegations against public servants.
18. **(B)** Article 280 provides for the constitution of a Finance Commission every five years to recommend the distribution of tax revenues between the Union and States.
19. **(B)** 'Sovereign' in the Preamble means India is completely independent — it is not subject to the control of any external authority and has complete power over its domestic and foreign policy.
20. **(D)** The TNPSC group structure is defined by the Tamil Nadu State and Subordinate Services Rules and Tamil Nadu Government Orders; each group corresponds to different pay grades and service categories.
21. **(C)** In Kesavananda Bharati (1973), a 13-judge bench held 7:6 that Parliament cannot amend the Constitution's basic structure, establishing judicial review as a constitutional safeguard.
22. **(D)** Article 17 abolishes untouchability and forbids its practice in any form, making it a fundamental right enforceable against both state and private actors.
23. **(D)** The 44th Amendment (Janata Government) moved the right to property from Article 19(1)(f) and Article 31 to Article 300A, converting it from a Fundamental Right to a constitutional/legal right.
24. **(A)** After the 44th Amendment, the President can proclaim Emergency only on the written advice of the Cabinet (not just the PM), reducing scope for misuse as in 1975.
25. **(D)** Constitutional morality was explicitly invoked in both Navtej Singh Johar and the NJAC judgment to override popular morality.