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Constitutional Law Questions for CLAT

Constitutional Law Quiz 5

Directions: Read the questions carefully and choose one of the options as your answer.

1. Which one of the following is wrong?

- A. The Prime Minister is the leader of the majority party in the Lok Sabha.
- B. The Prime Minister is the head of the Cabinet.
- C. The Prime Minister is the head of the Government.
- D. The Prime Minister is the head of the State.

2. In which of the following cases is the entire Council of Ministers not dissolved?

I. If the Prime Minister dies

II. If the Prime Minister resigns as an individual

III. If a Cabinet Minister resigns

Select the correct answer using the codes given below:

- A. I and II
- B. II and III
- C. All of the above
- D. III

3. Generally all important decisions are taken by

- A. The Council of Ministers
- B. The Cabinet
- C. The Prime Minister
- D. The Prime Minister and Parliamentary Secretaries

4. The oath to the office of President of India is administered by

- A. The Speaker of the Lok Sabha
- B. The Chief Justice of India
- C. The Vice-President of India
- D. The Prime Minister of India

5. Which one of the following officials is appointed by the President on the advice of the Prime Minister?

- A. The Chief Justice of India
- B. Chairman of UPSC
- C. Governor of State
- D. All of these

6. The office of the Prime minister has been created by

- A. The Constitution B. A convention
C. The President D. The Supreme Court

7. The detailed procedure for impeachment of the President has been mentioned in which article of the constitution?

- A. 61 B. 62
C. 63 D. 64

8. Under which article has the President power to grant pardons and to remit or commute sentences in certain cases been provided?

- A. 70 B. 71
C. 72 D. 73

9. Under our Constitution the President is

- A. Obligated to seek the advice of the Union Council of Ministers but is not bound to follow it.
B. Obligated to accept the advice of Union Council of Ministers.
C. Not obliged to seek or accept the advice of the Council of Ministers.
D. Obligated to seek the advice of the Council of Ministers under certain circumstances.

10. Which one of the following officials is not appointed by the President?

- A. Judges of the Supreme Court B. Judges of High Court
C. District and Sessions judges D. Attorney-General of India

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Correct answers:

1	2	3	4	5	6	7	8	9	10
D	D	B	B	D	A	A	C	B	C

Explanations:

1. President is the head of the state.

Hence, option D is correct.

2. The Council of Ministers is deemed to be resigned on the death or resignation of the existing Prime Minister.

Each and every minister in his team represents the collective responsibility of Cabinet.

In case of death, as the person was responsible for the team as a whole, an order issued in his favour will stand null and void.

New incumbent's authorised signature, credentials shall be valid for all purposes.

Hence, option D is correct.

3. The Cabinet holds the most important position in the Union Government. It exercises all powers on behalf of the Council of Ministers. The policy decisions are taken in the Cabinet.

Hence, option B is correct.

4. Every President and every person acting as President or discharging the functions of the President shall, before entering upon his office, make and subscribe in the presence of the Chief Justice of India or, in his absence, the senior most Judge of the Supreme Court available,

Hence, option B is correct.

5. Article 74 Council of Ministers to aid and advise President states that:-

(1) There shall be a Council of Ministers with the Prime Minister at the head to aid and advise the President who shall, in the exercise of his functions, act in accordance with such advice: Provided that the President may require the council of Ministers to reconsider such advice, either generally or otherwise, and the President shall act in accordance with the advice tendered after such reconsideration

Hence, option D is correct.

6. Articles 74 & 75 of the constitution of India deal with the Council of Ministers and Prime Minister.

Hence, option A is correct.

7. Article 61: Procedure for impeachment of the President. (1) When a President is to be impeached for violation of the Constitution, the charge shall be preferred by either House of Parliament. (b) such resolution has been passed by a majority of not less than two-thirds of the total membership of the House

Hence, option A is correct.

8. President is empowered with the power to pardon under Article 72 of the Indian Constitution. Article 72 says that the President shall have the power to grant pardons, reprieves, respites or remissions of punishment or to suspend, remit or commute the sentence of any person convicted of any offence.

Hence, option C is correct.

9. There shall be a Council of Ministers with the Prime Minister at the head to aid and advise the President who shall, in the exercise of his functions, act in accordance with such advice. Notice the Use of word SHALL.

Hence, option B is correct.

10. Appointments of persons to be, and the posting and promotion of, district judges in any State shall be made by the Governor of the State in consultation with the High Court exercising jurisdiction in relation to such State.

Hence, option C is correct.

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