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7. Respect for National Flag is a

- A. Fundamental Right
- B. Directive Principle
- C. Fundamental Duty
- D. Fundamental Duty only for Government functionaries.

8. Which one of the following Constitutional Amendments was based on recommendations of the Swaran Singh Committee?

- A. 24th Amendment
- B. 39th Amendment
- C. 42nd Amendment
- D. 44th Amendment

9. Chariman of National Human Rights Commission is appointed by

- A. The Prime Minister (Chairperson)
- B. The Home Minister
- C. The Leader of the Opposition in the Lok Sabha (Lower House)
- D. None of the above

10. Ordinance is promulgated by the ?

- A. Governor
- B. President
- C. Parliament
- D. Both (A) and (B)

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Correct answers:

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

Explanations:

1. The Supreme Court has ruled that narco analysis, brain mapping and polygraph tests cannot be conducted on any person without their consent. Such procedures “are illegal and a violation of personal liberty”, ruled a three-judge bench headed by Chief Justice K.G. Balakrishnan. The order came in response to petitions questioning the validity of such tests that were filed by persons accused in various criminal cases.

Hence, option B is correct.

2. Article 23 & 24 of Indian Constitution deal with the Right against Exploitation. Article 23 prohibits the traffic in human beings and forced Labour such as ‘Begar’. The menace of Human Trafficking is the illegal trade of human beings for the purposes of commercial sexual exploitation, prostitution or forced labour.

Hence, option A is correct.

3. Habeas corpus writ is called “Bulwark or Barrier of Individual Liberty against Arbitrary Detention”. A general rule of filing the petition is that - A person whose right has been infringed must file a petition. But Habeas corpus is an exception and anybody on behalf of the detainee can file a petition. Habeas corpus writ is applicable to preventive detention also. This writ can be issued against both public authorities as well as individuals.

Hence, option A is correct.

4. Literally, Certiorari means to be certified. The writ of certiorari can be issued by the Supreme Court or any High Court for quashing the order already passed by an inferior court, tribunal or quasi judicial authority. There are several conditions necessary for the issue of writ of certiorari. Firstly there should be court, tribunal or an officer having legal authority to determine the question with a duty to act judicially. Such a court, tribunal or officer must have passed order acting without jurisdiction or in excess of the judicial authority vested by law in such court,

tribunal or officer. The order could also be against the principles of natural justice or the order could contain an error of judgment in appreciating the facts of the case.

Hence, option C is correct.

5. The Directive Principles of State Policy are referred to as the "Conscience of the Constitution". They aim to create a welfare state where the social and economic conditions are such that the citizens can lead a good life. They are the principles and guidelines to be kept in mind while framing the laws and policies for the nation. They are not enforceable by any court but they are considered irrefutable in the governance of the country. It is the duty of the State to apply these principles while making laws to establish a fair and just society. They refer to social justice, economic welfare, legal and administrative matters and foreign policy.

Hence, option A is correct.

6. Article 48(A), Protection and improvement of environment and safeguarding of forests and wildlife. "State shall endeavour to protect and improve the environment and to safeguard the forests and wildlife of the country." Article 48A was added by the Constitution (42nd Amendment) Act, 1976.

Hence, option B is correct.

7. Article 51A : Fundamental duties -

It shall be the duty of every citizen of India –To abide by the Constitution and respect its ideals and institutions, the National Flag and the National Anthem.

Hence, option C is correct.

8. In 1976, the Congress Party set up the Sardar Swaran Singh Committee to make recommendations about fundamental duties, the need and necessity of which was felt during the operation of the internal emergency (1975-1977). The Congress Government at Centre accepted recommendations and enacted the 42nd Constitutional Amendment Act in 1976. This amendment added a new part, namely, Part IVA to the Constitution.

Hence, option C is correct.

9. Section 2, 3 and 4 of TPHRA lay down the rules for appointment to the NHRC. The Chairperson and members of the NHRC are appointed by the President of India, on the recommendation of a committee consisting of: The Prime Minister

(Chairperson), The Home Minister, The Leader of the Opposition in the Lok Sabha (Lower House), The Leader of the Opposition in the Rajya Sabha (Upper House), The Speaker of the Lok Sabha (Lower House), The Deputy Chairman of the Rajya Sabha (Upper House).

Hence, option D is correct.

- 10.** Parliament has powers to make laws and it alone can pass laws on Union list matters. However there may be some conditions when the parliament is not in session and it becomes necessary to make laws. In these cases our constitution under Article 123 gives special legislative powers to President of India by promulgating ordinance under certain circumstances. The law making power in state is vested in the state assembly. But there may be situations when state assembly is not in session and it is necessary to make laws for the state. In these circumstances Article 213 of the constitution provides that Governor of the state can promulgate ordinance.

Hence, option D is correct.



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