



1. Consider the following statements and choose the correct answer -

1. The Governor can commute, pause or delay death penalty cases.
2. According to Article 267, the contingency fund of the state is under the state legislature.

- (A) Only (1) is correct.  
 (B) Only (2) is correct.  
 (C) Both (1) and (2) are correct.  
 (D) Neither (1) nor (2) is correct.  
 (E) Question Not Attempted

**Answer:- (A)**

**Explanation:-**

**Powers and functions of the Governor -**

❖ The Governor has executive, legislative, financial and judicial powers. But unlike the President, he does not have diplomatic, military and emergency powers.

**Financial powers -**

- ❖ Money Bill, Finance Bill can be introduced Only with the prior permission of the Governor.
- ❖ The Governor presents the budget (annual financial statement) in the Legislative Assembly every year (Article 202).
- ❖ The State's contingency fund is under the Governor (Article 267).
- ❖ The Governor constitutes the State Finance Commission every five years to review the financial conditions of Panchayats and Municipalities (Article 243 J).

**Judicial power -**

❖ Power of pardon (Article 161) - The Governor has five types of powers under this power of pardon -

1. **Pardon** - In this, both punishment and imprisonment are removed and the culprit is completely freed from all punishments, sentences and disabilities.
2. **Commutation** - It means reducing the nature of punishment. For example, commuting the death sentence into rigorous imprisonment, which can be converted into ordinary imprisonment.
3. **Remission** - It means reducing the period of punishment without changing its nature. For example, commuting two years of rigorous imprisonment to one year of rigorous imprisonment.
4. **Respite** - It means reducing the original sentence of a convict in some special circumstances, such as physical disability or

pregnancy of women.

5. **Reprieve** - It means temporary stay of any punishment (especially death penalty). Its purpose is to give time to the convicted person to plead for pardon or change of form of punishment.

**Note:**

- The Governor cannot grant full pardon in cases of death sentence. However, he can commute, pause or delay in these cases.
- The Governor cannot exercise any power of pardon in a case related to military court whereas the President has this power.

2. Which one of the following is a mismatched pair for the President's rule imposed four times in Rajasthan so far?

**List - I**

**(Period)**

**List - II**

**(Related Governor)**

- |                             |                    |
|-----------------------------|--------------------|
| 1. 13-03-1967 to 26-04-1967 | - Dr. Sampurnanand |
| 2. 30-04-1977 to 21-06-1977 | - Raghukul Tilak   |
| 3. 17-02-1980 to 05-06-1980 | - Raghukul Tilak   |
| 4. 15-12-1992 to 03-12-1993 | - Dhaniklal Mandal |

Select the correct answer using the codes given below:

- (A) 1 and 2 Only  
 (B) 2 and 4 Only  
 (C) 3 and 4 Only  
 (D) None of these  
 (E) Question Not Attempted

**Answer:- (D)**

**Explanation:-**

**Important facts of President's rule four times in Rajasthan:**

1. **First President's rule (13 March 1967 - 26 April 1967)**

- **Duration:** 44 days (shortest)
- **Reason:** Assembly elections No party got a clear majority in the 1967.
- **Governor:**
  1. Dr. Sampurnanand
  2. Sardar Hukum Singh (from 16 April 1967)
- The assembly remained suspended but was not dissolved.
- The central government appointed Sadanand Vaman and R. Prasad as advisers.
- On 15 April 1967, Dr. Sampurnanand's term ended, and Sardar Hukum Singh took over.
- Mohanlal Sukhadia proved majority and



4. Consider the following statements regarding the first assembly elections of Rajasthan in 1952-
1. 6 candidates were elected unopposed.
  2. All the unopposed candidates were from the Indian National Congress Party.
  3. Only 06 women stood as candidates.
  4. Only one woman candidate became an MLA.

Which of the above statements is/are **correct**?

- (A) Only (1) and (2)  
 (B) Only (2) and (3)  
 (C) Only (2), (3) and (4)  
 (D) All of the above  
 (E) Question Not Attempted

**Answer:- (A)**

**Explanation:-**

❖ In the first assembly elections of Rajasthan in 1952, 6 candidates were elected unopposed, all of whom were from the Indian National Congress Party -

1. Shri Ghasiram Yadav (Mandawar-single member)
2. Shri Sampat Ram (Lakshmangarh-Rajgarh two member),
3. Shri Jaichand (Badi Sadari Kapasan-two member)
4. Lakshman Bhil (from Sarada Salumber two member constituency)
5. Shri Hazari Lal (Kotputli)
6. Shri Hariram (Bagidora)

❖ In the first assembly general election of Rajasthan in 1952, Only four women stood as candidates and all four lost the election, i.e. no woman candidate could become MLA in this election. Those four areas and women were as follows-

- |                  |              |               |
|------------------|--------------|---------------|
| 1. Chiranji Devi | Fagi         | K.L.-P. Party |
| 2. Virendra Bai  | Jaipur City  | Independent   |
| 3. Shanta Devi   | Udaipur City | Independent   |
| 4. Rani Devi     | Sojat Main   | Jan Sangh     |

5. Consider the following statements related to the High Court and choose the **true** statements:-

1. The Rajasthan High Court was established in 1949.
2. There are currently 21 High Courts in India.
3. The judges of the High Court can remain in their posts till the age of 65 years.
4. It is mentioned in Article 216 that the High Court is a court of record.
5. Question Not Attempted

Select the correct answer using the codes given:

- (A) Only 1

- (B) Only 1, 2 and 3  
 (C) Only 3 and 4  
 (D) Only 1 and 4  
 (E) Question Not Attempted

**Answer:- (A)**

**Explanation:-**

❖ In Part Six of the Constitution, from Articles 214 to 231, the formation, independence, judicial jurisdiction, powers, procedure etc. of the High Courts have been explained.

❖ According to Article 214, a High Court has been arranged for every state.

❖ Article 215 - High Court as a court of record

❖ The Rajasthan High Court was established in 1949.

❖ At present there are 25 High Courts in the country. Four of these are common High Courts. Delhi is the Only Union Territory which has its own High Court (since 1966).

❖ A judge of a High Court remains in office till the age of 62 years. Any question regarding his age is decided by the President in consultation with the Chief Justice of India. The President's decision in this regard is final.

❖ If both the Houses of Parliament separately pass a resolution on the basis of disqualification or misconduct by a 2/3 majority, the President can remove that judge from his post.

6. Such Chief Ministers of Rajasthan who were not the Leader of Opposition in Rajasthan Assembly?

- (A) Bhairon Singh Shekhawat  
 (B) Haridev Joshi  
 (C) Vasundhara Raje  
 (D) Shivcharan Mathur  
 (E) Question Not Attempted

**Answer:- (D)**

**Explanation:-**

**Such Chief Ministers of Rajasthan who were the Leader of Opposition in Rajasthan Assembly-**

1. Bhairon Singh Shekhawat
2. Haridev Joshi
3. Vasundhara Raje

**Such Chief Ministers of Rajasthan who were members of the Constituent Assembly-**

1. Hiralal Shastri
2. C.S. Venkatachari
3. Jainarayan Vyas



7. Consider the following statements and choose the correct answer -

1. According to Article 157 of the Constitution, three qualifications are necessary to be appointed as Governor.
  2. The ordinance issued by the Governor expires six weeks after the commencement of the session of the State Legislature.
- (A) Only (1) is correct.  
(B) Only (2) is correct.  
(C) Both (1) and (2) are correct.  
(D) Neither (1) nor (2) is correct.  
(E) Question Not Attempted

**Answer:- (B)**

**Explanation:-**

#### **Qualifications for appointment as Governor - Article 157**

- ❖ A person shall be eligible to be appointed as Governor Only if -
  1. He is a citizen of India and;
  2. Has completed the age of 35 years.

#### **Conditions of the post of Governor - Article 158**

1. He is not a member of the Parliament and the Legislature. If he is, then the membership will automatically end as soon as he assumes the post of Governor.
2. The Governor shall not hold any other office of profit.
3. Rent-free Raj Bhawan, emoluments, privileges and allowances determined by the Parliament.  
**3(i).** If there is a Governor of two or more states, then the states will jointly provide emoluments and allowances according to the standards set by the President. (Added by Section 7 of the 7th Constitutional Amendment 1956) That is, if a person is the Governor of two states, then he will get the same salary as a single Governor, but his salary will be divided among the states in the ratio decided by the President.
4. Economic emoluments and allowances cannot be reduced during the tenure.

**Note:-**

1. The salary and allowances of the Governor are charged on the Consolidated Fund of the State.
2. According to the second schedule, at present the Governor is given a salary of 3 lakh 50 thousand rupees per month. At the time of implementation of the Constitution, the salary of the Governor was 5500 rupees per month.

#### **Issuance of Ordinance by Governor - Article 213**

1. When the Legislature is not in session, in case of urgent need for a law, the Governor can issue an ordinance on any subject in the State List and the Concurrent List.
2. Such an ordinance will be subject to judicial review.
3. It can be withdrawn by the Governor at any time.
4. Such an ordinance remains effective for a period of 6 weeks from the beginning of the new session.
5. The State Legislature can terminate this ordinance even before this period.

8. Identify the incorrect statement about the Governor from the following:

- A. After the 42nd Constitutional Amendment (1976), the Governor was made bound to consult ministers.
- B. The time limit given to a Chief Minister to prove his majority is determined by the Governor at his discretion.
- C. In addition to the discretionary provisions of the Governor made in the Constitution under Article 163(1), he will have a Council of Ministers to aid and advise him, headed by the Chief Minister.
- D. The Governor is "like a bird in a golden cage" – Sarojini Naidu
- E. Question Not Attempted

**Answer:- (A)**

**Explanation:-**

#### **Powers and functions of the Governor –**

- ❖ The Governor has executive, legislative, financial and judicial powers. But unlike the President, he does not have diplomatic, military and emergency powers.
- ❖ Under Article 163, the powers of the Governor can be divided into two categories -
  1. The powers which he exercises on the advice of the Chief Minister (or Council of Ministers).
  2. The powers which he exercises on the basis of his discretion.

#### **Discretionary powers and privileges**

- ❖ Article 163 mentions the discretionary powers of the Governor.
- ❖ In addition to the discretionary provisions of the Governor made in the Constitution under Article 163(1), there will be a Council of Ministers for his aid and advice, headed by the Chief Minister.



- ❖ Under Article 163(2), the Governor's decision on the discretionary functions prescribed for him by the Constitution is final and it cannot be questioned on the ground whether he should have done that work on his own discretion or not.
- ❖ After the 42nd Constitutional Amendment (1976), the advice of ministers was made compulsory for the President, while there is no such provision in relation to the Governor.

**These discretionary powers have two forms-**

**1. Discretionary powers granted by the Constitution:**

- (i) Reserving any bill presented by the state legislature under Article 200 for the consideration of the President.
- (ii) Recommending President's rule to the President under Article 356.
- (iii) Some discretionary powers have been granted to the governors of Assam, Nagaland, Sikkim, Mizoram, Arunachal Pradesh. For example, the Governor of Assam has the discretionary power to spend the income obtained from minor minerals in Assam for the development of the tribes of Assam.

**2. Situational discretionary powers: The Governor uses these powers in the following circumstances-**

- (i) In case a single party or coalition does not get a clear majority in the Assembly, the Governor selects the Chief Minister at his discretion.
- (ii) The time limit given to a Chief Minister to prove his majority is determined by the Governor at his discretion.

**Various statements about the Governor:**

- **Sarojini Naidu** - He is like a bird locked in a golden cage.
- **Mr. Prakash** - He has no authority except signing in the blank spaces.
- **Mrs. Vijayalakshmi Pandit** - 'A person accepts to become a Governor Only because of the attraction of salary and not the post.'
- **Dr. Pattabhi Sitaramaiya** - 'The post of Governor is for hospitality and for giving a fortnightly report to the President.'

9. Which of the following matching of List-1 and List-2 is **incorrect**.

List-I (Article)	List-II (Content)
1. Article- 214	(i) High Court for States
2. Article- 216	(ii) Establishment of High Court
3. Article- 223	(iii) Appointment of Acting Chief Justice
4. Article- 231	(iv) Establishment of a common High Court for two or more States

Select the correct answer using the codes given below:

- (A) Only (1)
- (B) Only (2) and (3)
- (C) Only (4)
- (D) None of the above
- (E) Question Not Attempted

**Answer:- (D)**

**Explanation:-**

- ❖ In Part Six of the Constitution, Articles 214 to 231 explain the formation, independence, judicial jurisdiction, powers, procedure etc. of the High Courts.
- **Article 214** - High Court for States
- **Article 215** - High Court as court of record
- **Article 216** - Constitution of High Court
- **Article 217** - Appointment and conditions for appointment as Judge of High Court
- **Article 218** - Application of certain provisions relating to Supreme Court to High Court
- **Article 219** - Oath taking of Judges of High Court
- **Article 220** - Restrictions on practice after restoration as permanent Judge
- **Article 221** - Salaries of Judges, etc.
- **Article 222** - Transfer of a Judge from one High Court to another
- **Article 223** - Appointment of Acting Chief Justice
- **Article 225** - Jurisdiction of High Courts
- **Article 231** - Establishment of a common High Court for two or more States

10. Yashoda Devi, the first woman to be elected as MLA in the by-elections held for the first assembly of Rajasthan, won the election on the ticket of which party?

- (A) Indian National Congress Party
- (B) Socialist Party
- (C) Akhil Bharatiya Ram Rajya Parishad
- (D) Bharatiya Jansangh
- (E) Question Not Attempted