

(SOLUTION) Online Prelims TEST - 18 (SUBJECT WISE)

23 Correct Answer : D

Answer Justification :

All the statements given above are correct.

In case of the enforcement of Fundamental Rights, the jurisdiction of the Supreme Court is original but not exclusive. It is concurrent with the jurisdiction of the high court under Article 226. It vests original powers in the high court to issue directions, orders and writs of all kinds for the enforcement of the Fundamental Rights.

These rights are known as constitutional rights or legal rights or non -fundamental rights. They are:

1. No tax shall be levied or collected except by authority of law (Article 265 in Part XII).
2. No person shall be deprived of his property save by authority of law (Article 300-A in Part XII).

The Supreme Court can issue writs only for the enforcement of fundamental rights whereas a high court can issue writs not only for the enforcement of Fundamental Rights but also for any other purpose.

24 Correct Answer : C

Answer Justification :

Both the statements are correct.

The Directive Principles resemble the 'Instrument of Instructions' enumerated in the Government of India Act of 1935. In the words of Dr B R Ambedkar, 'the Directive Principles are like the instrument of instructions, which were issued to the Governor-General and to the Governors of the colonies of India by the British Government under the Government of India Act of 1935.

The Directive Principles, though non-justiciable in nature, help the courts in examining and determining the constitutional validity of a law.

25 Correct Answer : C

Answer Justification :

The framers of the Constitution made the Directive Principles non-justiciable and legally nonenforceable because:

1. The country did not possess sufficient financial resources to implement them.
2. The presence of vast diversity and backwardness in the country would stand in the way of their implementation.
3. The newly born independent Indian State with its many preoccupations might be crushed under the burden unless it was free to decide the order, the time, the place and the mode of fulfilling them. **Hence Statement 2 is incorrect.**

26 Correct Answer : B

Answer Justification :

Some of fundamental duties are moral duties while others are civic duties. For instance, cherishing noble ideals of freedom struggle is a moral precept and respecting the Constitution, National Flag and National Anthem is a civic duty. **Hence statement 2 is correct.**

Unlike some of the Fundamental Rights which extend to all persons whether citizens or foreigners, the Fundamental Duties are confined to citizens only and do not extend to foreigners. **Hence statement 1 is incorrect.**

27 Correct Answer : C

Answer Justification :

Ideals of Liberty, equality and fraternity in Indian constitution is borrowed from France Constitution.

28 Correct Answer : B

Answer Justification :

The Right against Phone tapping is comes under Right to Freedom of speech and expression (Art 19). Hence Statement 1 is incorrect.

Freedom to form association or unions is guaranteed by Article 19. **Hence Statement 2 is correct.**