



### Daily Subject wise Quiz Day 55 Polity XIII (Online Prelims Test)

1) Which of the following statements is/are correct about Law Commission

1. The Law Commission of India is a constitutional body established under Article 134
2. It undertakes research in law and review of existing laws in India for making reforms therein.

Select the correct answers using the codes given below

- a. 1 only
- b. 2 only
- c. Both 1 and 2
- d. Neither 1 nor 2

Answer : b

#### Law Commission

- Law Commission of India is neither a constitutional body nor a statutory body, it is an executive body established by an order of the Government of India. Its major function is to work for legal reforms.
- The Commission is established for a fixed tenure and works as an advisory body to the Ministry of Law and Justice.
- Its membership primarily comprises legal experts.
- The Law Commission, on a reference made to it by the Central Government or suo-motu, undertakes research in law and review of existing laws in India for making reforms therein and enacting new legislations.
- It also undertakes studies and research for bringing reforms in the justice delivery systems for elimination of delay in procedures, speedy disposal of cases, reduction in the cost of litigation etc.

2) Consider the following statements with respect to Original Jurisdiction

1. Original jurisdiction of the Supreme Court extends to any dispute between the Government of India and one or more States.
2. Article 32 gives an extensive original jurisdiction to the Supreme Court in regard to enforcement of Fundamental Rights.

Which of the above statements is/are correct?

- a. 1 only
- b. 2 only
- c. Both 1 and 2
- d. Neither 1 nor 2

Answer : c

## Original Jurisdiction

- The SC (as a federal court of India) possesses Original jurisdiction to decide the disputes arising between different units of the Indian Federation like:
- Centre and one or more states; or
- Centre & any state(s) on one side and one or more states on the other; or Two or more states.
- Original jurisdiction of the Supreme Court extends to any dispute between the Government of India and one or more States.
- In addition, Article 32 of the Constitution of India gives an extensive original jurisdiction to the Supreme Court in regard to enforcement of Fundamental Rights.
- It is empowered to issue directions, orders or writs, including writs in the nature of habeas corpus, mandamus, prohibition, quo warranto and certiorari to enforce them.

3) Consider the following statements with respect to Election Petition

1. It is a procedure for inquiring into the validity of the election results of Parliamentary or local government elections.
2. Only Supreme court has original jurisdiction on deciding on election petitions.

Which of the above statements is/are correct?

- a. 1 only
- b. 2 only
- c. Both 1 and 2
- d. Neither 1 nor 2

Answer : a

### Election Petition

- An election petition is a procedure for inquiring into the validity of the election results of Parliamentary or local government elections.
- Election petitions are filed in the High Court of the particular state in which the election was conducted.
- Therefore, only the High Courts have the original jurisdiction on deciding on election petitions.
- Such jurisdiction shall be exercised ordinarily by the Single Judge of the High Court and Chief Justice shall from time to time assign one or more Judges for that purpose.

4) Consider the following statements with respect to High Court

1. The High Court has the jurisdiction under Article 226 to issue directions, orders or writs for the enforcement of Fundamental Rights.
2. The high court can issue writs not only within its territorial jurisdiction but also outside its territorial jurisdiction.

Which of the above statements is/are correct?

- a. 1 only
- b. 2 only
- c. Both 1 and 2
- d. Neither 1 nor 2

Answer : c

## High Court

- The High Court has the jurisdiction under Article 226 to issue directions, orders or writs for the enforcement of Fundamental Rights.
- A High Court is empowered to issue directions, orders, or writs for the enforcement of a Fundamental Right and for any other purpose those include:

1. Habeas corpus
2. Mandamus
3. Prohibition
4. Quo warranto
5. Certiorari.

- The phrase 'for any other purpose' refers to the enforcement of an ordinary legal right.
- The high court can issue writs to any person, authority and government not only within its territorial jurisdiction but also outside its territorial jurisdiction if the cause of action arises within its territorial jurisdiction

5) Consider the following Statements

1. The proceedings of the Supreme Court are conducted in English only.
2. The Proceedings of the High Court are also conducted in Hindi or Regional Languages.

Which of the statements given above is/are correct?

- a. 1 only
- b. 2 only
- c. Both 1 and 2
- d. Neither 1 nor 2

Answer : a

### Proceedings of High Court and Supreme Court

- 348 - Language to be used in the Supreme Court and in the High Courts and for Acts, Bills, etc.
- The constitution provides that all proceedings in the Supreme Court of India, the country's highest court and the High Courts, shall be in English. Parliament has the power to alter this by law, but has not done so. However, in many high courts, there is, with consent from the president, allowance of the optional use of Hindi. Such proposals have been successful in the states of Rajasthan, Madhya Pradesh, Uttar Pradesh, and Bihar.
- The constitution gives the power to authorise the use of Hindi, or the state's official language in proceedings of the High Court to the Governor, rather than the state legislature, and requires the Governor to obtain the consent of the President of India, who in these matters acts on the advice of the Government of India. The Official Languages Act gives the Governor a similar power, subject to similar conditions, in relation to the language in which the High Court's judgments will be delivered.
- Four states—Bihar, Uttar Pradesh, Madhya Pradesh and Rajasthan—have been granted the right to conduct proceedings in their High Courts in their official language, which, for all of them, was Hindi. However, the only non-Hindi state to seek a similar power—Tamil Nadu, which sought the right to conduct proceedings in Tamil in its High Court—had its application rejected by the central government earlier, which said it was advised to do so by the Supreme Court.