

UNION & STATE JUDICIARY OF INDIA BASED INDIAN POLITY MCQ PRACTICE QUESTIONS AND ANSWERS PDF WITH EXPLANATION

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Q1. Which of the following comes under the jurisdiction of both the High Court and the Supreme Court?

- a) Disputes between the states inter se
 - b) Protection of Fundamental Rights
 - c) Disputes between Centre and the States
 - d) Protection against the violation of the Constitution
-

Q2. When the Supreme Court issues a writ to a person or to an institution to perform its duty, it is called

- a) Certiorari
 - b) Quo-Warranto
 - c) Habeas Corpus
 - d) Mandamus
-

Q3. Consider the following statements :

1. Parliament can extend, but cannot curtail the jurisdiction and power of the Supreme Court.
2. No discussion can take place in parliament with respect to the conduct of any judge of the Supreme Court in the discharge of his duties.
3. A retired judge of the Supreme Court cannot appear or plead in any court or before any authority within the territory of India.
4. The salaries and allowances of the judges of the Supreme Court are charged on the Consolidated Fund of India.

Which of these statements are **correct**?

- a) 2 and 4
- b) 1 and 3
- c) 1, 2, 3 and 4

d) 1 and 2

Q4. The Supreme Court was set up under:

- a) Indian Councils Act, 1892
- b) Pitt's India Act
- c) Regulating Act
- d) Indian Councils Act, 1861

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Q5. Original jurisdiction of Supreme Court is mentioned in which of the following articles of Indian Constitution?

- a) Article 148
- b) Article 143
- c) Article 131
- d) Article 132

Q6. Supreme Court has **exclusive jurisdiction** under the following **article** in relation to

1. Constitutional cases
2. Federal cases
3. Cases related to directive principles of state policy
4. River water disputes.

Codes:

- a) 1,2 and 3
 - b) 2 only
 - c) 1 and 3 only
 - d) 2 and 3 only
-

Q7. Identify the incorrect pair of Case and Ruling in that case by Supreme Court.

- a) Bella Banerjee Case - Right to travel abroad in a part of personal liberty
 - b) Vishakaha Case - Protection of working women against sexual harrassment at their place of work
 - c) Maneka Gandhi Case - Articles 14, 19 and 21 are not mutually exclusive
 - d) Indira Sawhney Case - Creamy Layer for Other Backward Classes
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Q8. The Supreme Courts of India enjoys

- a) Appellate and advisory jurisdiction
 - b) Advisory jurisdiction
 - c) Original jurisdiction
 - d) Original, appellate and advisory jurisdiction
-

Q9. The power to enlarge the jurisdiction of the Supreme Court of India with respect to any matter included in the Union list of legislative powers rests with:

- a) The Union Ministry of Law
 - b) The Parliament
 - c) The President of India
 - d) The Chief Justice of India
-

Q10. Given below are two statements, one labelled as Assertion (A) and the other labelled as Reason (R).

Assertion (A):

Willful disobedience or non-compliance of Court orders and use of derogatory language about Judicial behaviour amount to Contempt of Court.

Reason (R):

Judicial activism cannot be practiced without arming the Judiciary with punitive powers to punish contemptuous behaviour. In the context of the above two statements which one of the following is **correct**? Code

- a) Both (A) and (R) are true and (R) is the correct explanation of (A)

- b) (A) is true, but (R) is false
 - c) (A) is false, but (R) is true
 - d) Both (A) and (R) are true, but (R) is not the correct explanation of (A)
-

Q11. The minimum number of judges to sit on the Constitutional Bench or on Bench which gives its advisory opinion on the reference by the President must be:

- a) One-third of the total strength of the court
 - b) Three
 - c) One half of the total strength of the Supreme Court
 - d) Seven
-

Q12. When there is a vacancy in the office of the President and the Vice-President at the same time, the office is held temporarily by

- a) None of these
- b) The Speaker of Lok Sabha
- c) The Prime Minister
- d) The Chief Justice of India

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Q13. Consider the following statements :

1. The maximum number of Judges in a High Court is 8 specified in the Constitution of India.
2. Every High Court has a power of superintendence over all courts and tribunals (except military tribunals) provided they are subject to the appellate jurisdiction of the High Court.

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

- a) Neither 1 nor 2
- b) Both 1 and 2
- c) Only 1

d) Only 2

Q14. Judges of the district court are appointed by:

- a) Governor
 - b) Law Minister
 - c) President
 - d) Chief Minister
-

Q15. A civil case becomes a fit case for appeal to the Supreme Court if:

- a) the case had come to the High Court under an appeal from a subordinate court
 - b) it involves a point of Constitutional law
 - c) the High Court certifies that it involves a point of law and needs interpretation of the Constitution
 - d) it involves a sum of money over RS. 10,000
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Answers to the above questions :

Q1. Answer: (b)

Article 32 of the Indian Constitution confers the Right to Constitutional Remedies for the protection of Fundamental Rights contained in Part III.

It states that the Supreme Court and High Court shall have the power to issue directions or orders or writs, including writs in the nature of habeas corpus, mandamus, prohibition, quo warranto, and certiorari, whichever may be appropriate, for the enforcement of any of the rights conferred by this Part.

Q2. Answer: (d)

Q3. Answer: (c)

The jurisdiction of the Court cannot be curtailed by parliament. The conduct of a judge of the Supreme Court is not to be discussed in Parliament, except upon a motion for an address to the President for the removal of the judge. After retirement, a judge of the Supreme Court shall not plead or act in any Court or before any authority within the territory of India.

Article 125 empowers Parliament to determine by law the salaries etc., of the Judges. By the 54th Amendment Act 1986, the salaries of the Judges were revised upwards to minimize the inflationary pressures and attract the best talent to judicial posts. They are entitled to a pension etc.

The salaries of the Judge and other expenses of the Supreme Court are charged on the Consolidation Fund of India.

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Q4. Answer: (c)

Q5. Answer: (c)

Article 131 of the Constitution of India deals with the original jurisdiction of the Supreme Court of India.

Q6. Answer: (b)

Supreme Court has exclusive jurisdiction in relation to federal Cases.

Q7. Answer: (a)

Q8. Answer: (d)

Q9. Answer: (b)

The parliament can regulate the organization and jurisdiction of the Supreme Court. It can expand the jurisdiction but can't curtail the same.

Q10. Answer: (d)

Q11. Answer: (c)

Court's advisory jurisdiction may be sought by the President under **Article 143** of the Constitution. This procedure is termed as "Presidential Reference" and is recognized as the 'Advisory jurisdiction' of the Court. Under this scheme, President may refer to any question of law or fact of public importance.

However, it is not binding on the Supreme Court to answer questions raised in the reference. In the last more than sixty years, only a handful of references have been made. The Supreme Court can refuse to provide its advisory opinion if it is satisfied that the questions are either socioeconomic or political in nature.

The minimum number of judges to sit on the Constitutional Bench or on Bench which gives its advisory opinion on the reference by the President must be one-half of the total strength of the Supreme Court.

Q12. Answer: (d)

When there is a vacancy in the office of the President and the Vice-President at the same time, the office is held temporarily by the Chief Justice of India.

Q13. Answer: (a)

Q14. Answer: (a)

The judges of subordinate courts are appointed by the Governor in consultation with the Chief Justice of the High Court of the concerned State. A minimum of seven years of practise as a lawyer at bar is a necessary qualification.

Q15. Answer: (c)

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