

QUESTIONS OF THE WEEK

CRITICAL REASONING

Directions: Read the following passage and in light of the same, answer the questions that follow.

Signs of a confrontation between Raj Bhavan and the elected government in a State are not infrequent in the country. The onus often appears to be on the Chief Ministers to avert a constitutional crisis rather than pursue a confrontational course. One way of seeing these developments is to attribute them to the appointment of those who have been politically active in the recent past as Governors and the partisan role they play as agents of the Centre. However, the problems may have to do with the way they understand their own powers. Constrained by the 'aid and advice' clause in their routine functioning, some Governors seem to be using the discretionary space available to them to keep regimes on tenterhooks. A Constitution Bench of the Supreme Court laid down in 1974 that the President and Governor shall "exercise their formal constitutional powers only upon and in accordance with the advice of their Ministers save in a few well-known exceptional situations" — "situations" also illustratively listed. Yet, there is the extraordinary situation of some Governors not acting upon requests to grant clemency or assent to Bills.

Much of the conflict arises due to the Constitution itself. It fixes no time-frame for the Governors to act, and contains, in Article 163, an unusual power to choose what is in their discretion and what is not, with the courts being barred from inquiring into whether any advice and, if so, what advice was given. The Sarkaria Commission on Centre-State relations recommended no change in this scheme, but it is time it is revisited. While as the 'lynchpin' of the constitutional apparatus, Governors indeed have a duty to defend the Constitution and encourage or caution the elected regime, the impression that Governors are not obliged to heed Cabinet advice persists in some areas. At a time when regional political forces are actively seeking to be heard by the Centre, it may be time that the provisions relating to the Governor's role are amended. Identifying areas of discretion, fixing a time-frame for them to act, and making it explicit that they are obliged to go by Cabinet advice on dealing with Bills can be considered. In addition, as suggested by the M.M. Punchhi Commission, ending the practice of burdening Governors with the office of Chancellor in universities should also be considered.

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1. If the information given in the passage is true, then which of the following can be logically inferred from the passage?
 - (a) The Supreme Court's decision of 1974 is being bypassed by some governors.
 - (b) The provisions of the Constitution are crystal clear, with little discrepancies.
 - (c) Governors play the roles of the Centre's agents, which is unfortunate.
 - (d) The Constitution has failed miserably in defining the roles of the governor.

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2. Which of the following pieces of evidence would strengthen the arguments of the author?
- (a) Disputes between the governor and the chief minister in states very often lead to constitutional crises due to which the citizens suffer.
 - (b) Fixing time frames for the governor to approve the bill has led to wrong decisions in the neighbouring countries.
 - (c) There are no regional parties in India that present a real challenge to the party at the centre.
 - (d) Much of the conflict arises due to the Constitution itself that has given unlimited powers to a governor.

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3. The best representation of the main idea of the passage is:
- (a) The disputes between the chief minister and the governor should be resolved in a timed-manner.
 - (b) The time may have come for clarifying the role and functions of the governor.
 - (c) The Constitution should be rewritten to accommodate the governor and the chief minister.
 - (d) Governor's exceeding their constitutional limits symbolises the colonial mindset.

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4. Which among the following is an expression of opinion rather than fact?
- (a) Governors have a duty to abide by the Constitution of India.
 - (b) Three previous governors of Tamil Nadu created a constitutional crisis.
 - (c) Governors need to use their powers in a discretionary manner.
 - (d) Chief Ministers are ranked below the governors in the hierarchy.

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5. The author has used which of the following as a premise to support his claims?
- I. Time frame should be fixed for the governors to assent or dissent to the bill.
 - II. The Constitution has not fixed a time frame for the governors to take decisions.
 - III. The Supreme court in 1974 gave unlimited powers to the President and the Governors.
- (a) Only I
(b) Only II
(c) II and III
(d) I and II

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1. **Answer: A**

Sol. The correct answer is A. Even after the decision of the Supreme Court in 1974, where the rare situations have been 'illustrated', yet the extraordinary situation of some Governors not acting upon requests to grant clemency or assent to Bills clearly shows a deliberate intent of the governors. The passage mentions that conflicts about the roles of governors are still frequent. Hence, A can be inferred. B is incorrect - the passage clearly mentions that the provisions of the constitution require some revisions as well. C is incorrect - the author does not seem to be of this opinion, based only on the information in the passage. D is incorrect as well - this is an extreme version of the author's opinion.

2. **Answer: A**

Sol. The correct answer is A. This option lends support to the argument that the Constitution leaves a lot to be desired on the roles and functions of the governor. B is incorrect - it weakens the argument that time frames need to be fixed for the government. C is incorrect - this piece of evidence is unrelated to the arguments presented in this passage. Option D is partly correct but the fact that Constitution has provided unlimited powers to the governor is misleading, in the context of the passage. It neither strengthens nor weakens the argument.

3. **Answer: B**

Sol. The correct answer is B. The author in the passage describes the issue about the role and functions of the governor and gives some suggestions on this matter - B best represents the central idea of the passage. A is incorrect because this cannot be inferred from the passage. C is incorrect for the reason that it cannot be inferred from the passage. Even D is the option which cannot be said to be true based on the information given in the passage.

4. **Answer: C**

Sol. The correct answer is C. The use of the word 'need to' leaves room for subjective opinion of the author, which may not be shared by others; hence, open to a debate. This is the only option that cannot be objectively verified. The other options can be verified based on the information - they can be said to be either true or false.

5. **Answer: B**

Sol. The correct answer is B. Only statement II has been used as a premise to support the claim made in the first sentence of the second paragraph. Statement I is a suggestion made by the author - which in itself is a claim and not a premise. Statement III is factually inaccurate, according to the passage.