

Corrigendum/Explanation SFG 2023 Level 2 Test 1

There are no changes to the solution/answers. Some extra explanations have been provided for the students who have raised doubts.

Q.8) There was a doubt raised with respect to statement 3 i.e. “Fundamental Rights are guaranteed and protected by the Constitution of India.”

Explanation – The statement is correct. The Fundamental Rights are enshrined in Part III of the Constitution of India from Articles 12 to 35. The Fundamental Rights are guaranteed and also protected by the Constitution to citizens. Guaranteed- in the sense that these rights are itself provided by the Constitution, and Protected- in the sense that the Constitution itself provides for their enforcement by the Courts. Also, these rights are named as the Fundamental Rights, because they are guaranteed and protected by the Constitution. Hence, the statement is correct.

Q.31) There was a doubt raised with respect to statement 1 i.e. “Social Justice implies that all citizens are treated equally irrespective of their status in society.”

Explanation – The statement is correct. The statement did not ask what ‘social justice’ means with reference to the Constitution of India. It asked about the general and literal meaning of the term ‘Social justice’. Social justice denotes the equal treatment of all citizens without any social distinction based on caste, colour, race, religion, sex and so on. It means absence of unwanted privileges being extended to any particular section of the society. Hence, the statement is correct.

Q.32) There was a doubt raised with respect to statement 2 i.e., “Certain provisions of the preamble may not be altered by a constitutional amendment act.”

Explanation – The statement is correct. The statement is indented to ask whether all the provisions of the Preamble can be altered by the Parliament without any limitation. And we know that Parliament has only limited power to amend the Constitution. The Parliament cannot alter those parts of the Constitution, including the Preamble, which forms part of the Basic Structure of the Constitution. Thus, the provisions of the preamble which are related to the basic structure of the constitution cannot be amended by the parliament. So, we can rightly say that certain provisions of the preamble may not be altered by a constitutional amendment act. The Statement is thus correct.

Q.44) There was a doubt raised with respect to statement 2 i.e., “Constitution is the result of rights of individuals which are enforced by the judiciary”

Explanation – The statement is incorrect. The concept of ‘Rule of Law’ has the following three elements:

- Absence of arbitrary power, that is, no man can be punished except for a breach of law.
- Equality before the law, that is, equal subjection of all citizens to the ordinary law of the land.

- **The primacy of the rights of the individual, that is, the constitution is the result of the rights of the individual.**

But only the first and the second elements given above are applicable to the Indian Political System and **not the third one**. This means, **in the Indian Political System- the constitution is the source of the individual rights**. In India, the Constitution is not the result of individual rights. And the question is asked in the context of Indian Constitution, whereby the given statement does not apply. Hence the Statement is incorrect.