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Q41

Consider the following statements: 1. No criminal proceedings shall be instituted against the Governor of a State in any court during his term of office. 2. The emoluments and allowances of the Governor of a State shall not be diminished during his term of office. 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 Official key: C.

UPSC Civil Services Prelims 2018 · General Studies · 2 marks · Polity and Governance

Indian Constitution, polity, rights, governance - Prelims GS Paper I.

Explanation**(a)**

(a) 1 only. Criminal-process immunity during the Governor's term is true (**Article 361**), but emoluments also cannot be diminished during the term (**Article 158(4)**). Stopping at 1 only is incomplete.

(b)

(b) 2 only. The emoluments statement is true, yet statement 1 is also true. This is not the key.

(c) Official key

(c) Both 1 and 2. **(c) Official key: Article 361** bars criminal proceedings against a Governor during office. **Article 158(4)** protects emoluments and allowances from reduction during the term. Both statements are correct.

(d)

(d) Neither 1 nor 2. Both constitutional protections exist, so 'neither' is not the key.

Summary

Official key is (c) both 1 and 2. Governors enjoy term-time **criminal immunity** and a bar on cutting pay and allowances. Civil process has notice conditions; impeachment-style removal is not by criminal trial in office. Honour the stored letter (c).

Related possible facts

These can be asked in a future Prelims paper.

Article 361

Protection of President and Governors

Criminal immunity

No court proceedings during term

Civil proceedings

Two months' notice

Article 158(4)

Emoluments not to be diminished during term

Article 156

Governor holds office during the President's pleasure

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