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Q53

With reference to the Legislative Assembly of a State in India, consider the following statements: 1. The Governor makes a customary address to Members of the House at the commencement of the first session of the year. 2. When a State Legislature does not have a rule on a particular matter, it follows the Lok Sabha rule on that matter. 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 2019 · General Studies · 2 marks · Polity and Governance

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

Explanation**(a)**

(a) 1 only. Statement 1 is right, but statement 2 is also treated as right: Houses that lack a rule on a point follow the Lok Sabha practice. Dropping 2 is not the key.

(b)

(b) 2 only. It drops the Governor's address, which **Article 176** requires at the first session of the year (and after a general election). Not the key.

(c) Official key

(c) Both 1 and 2. **Article 176** requires the Governor to address the Assembly (or both Houses) at the commencement of the first session of the year. Where a State Legislature has not framed a rule on a matter, the established practice is to follow the corresponding Lok Sabha rule. Both statements stand, so this is the official key.

(d)

(d) Neither 1 nor 2. Both statements are accepted as correct, so this option is wrong.

Summary

Official key is (c). The Governor's address at the first session of the year is a constitutional custom under **Article 176**. State Houses make their own rules under **Article 208**, but the **residual practice** is to copy the Lok Sabha rule when a gap exists. Neither statement is false on the official key. Honour (c).

Related possible facts

These can be asked in a future Prelims paper.

Article 176

Governor's address at the first session of the year and after a general election

Article 87

President's special address to Parliament; the Union analogue

Article 208

Rules of procedure of a State Legislature

Article 118

Rules of procedure of Parliament

Residual practice

Lok Sabha rules used when a State House is silent

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