

BLOGS

MCQ's on Constitutional Law for CLAT PG [Part 9]

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Q1. Which of the following constitutional developments most clearly reflects the transformation of Article 21 from a procedural safeguard to a substantive rights guarantee?

- A. The expansion of preventive detention laws
- B. The interpretation of "procedure established by law" to include fairness and reasonableness
- C. The insertion of Article 21A through constitutional amendment
- D. The recognition of socio-economic rights in Directive Principles

Q2. Which principle explains why certain constitutional amendments may be invalidated despite being enacted under Article 368?

- A. Doctrine of implied repeal
- B. Doctrine of constitutional supremacy
- C. Doctrine of basic structure
- D. Doctrine of severability

Q3. Which constitutional feature most strongly demonstrates that the Indian Constitution adopts asymmetric federalism?

- A. Uniform fundamental rights
- B. Special provisions for certain states under Part XXI
- C. Bicameralism at the Union level
- D. Judicial review by the Supreme Court

Q4. Which of the following constitutional provisions most directly embodies the principle of collective responsibility in the parliamentary system?

- A. Article 74
- B. Article 75(3)
- C. Article 77

D. Article 85

Q5. Which constitutional mechanism primarily ensures financial accountability of the executive to Parliament?

- A. Judicial review of financial legislation
- B. Annual financial statement and appropriation process
- C. Presidential assent to finance bills
- D. Recommendations of the Finance Commission

Q6. The constitutional bar under Articles 122 and 212 reflects which fundamental institutional principle?

- A. Parliamentary privilege
- B. Separation of powers and legislative autonomy
- C. Judicial supremacy
- D. Federal supremacy

Q7. Which constitutional doctrine explains why laws enacted before the Constitution continue to remain valid unless inconsistent with fundamental rights?

- A. Doctrine of eclipse
- B. Doctrine of prospective overruling
- C. Doctrine of severability
- D. Doctrine of harmonious construction

Q8. Which constitutional principle most clearly justifies the expansion of judicial review over administrative and legislative actions?

- A. Parliamentary sovereignty
- B. Constitutional supremacy
- C. Executive privilege
- D. Political accountability

Q9. Which of the following best explains the constitutional logic behind Article 249, which allows Parliament to legislate on State List matters in national interest?

- A. Federal supremacy of states
- B. Cooperative federalism under exceptional circumstances

- C. Legislative supremacy of Parliament
- D. Judicial control over legislative power

Q10. Which of the following best captures the distinction between constitutional morality and popular morality in constitutional adjudication?

- A. Constitutional morality reflects the will of the majority
- B. Popular morality overrides fundamental rights
- C. Constitutional morality emphasises adherence to constitutional values even against majoritarian pressures
- D. Popular morality is constitutionally binding

Q11. Which of the following constitutional principles primarily explains why courts cannot review the internal procedure of legislatures?

- A. Judicial restraint
- B. Parliamentary sovereignty
- C. Institutional autonomy of the legislature
- D. Doctrine of precedent

Q12. Which of the following constitutional provisions most directly reflects the principle of checks and balances between institutions?

- A. Article 19
- B. Article 32
- C. Article 50
- D. Article 368

Q13. Which of the following best explains the constitutional significance of Article 32?

- A. It grants discretionary judicial power
- B. It establishes judicial supremacy
- C. It guarantees enforceability of fundamental rights through constitutional remedies
- D. It restricts legislative competence

Q14. Which constitutional doctrine ensures that when part of a statute violates fundamental rights, only the offending portion may be invalidated?

- A. Doctrine of eclipse
- B. Doctrine of severability
- C. Doctrine of waiver
- D. Doctrine of basic structure

Q15. Which constitutional principle most clearly explains the expanding interpretation of Directive Principles in constitutional jurisprudence?

- A. Parliamentary supremacy
- B. Harmonious construction between Parts III and IV
- C. Separation of powers
- D. Federal autonomy

Answers

1. Correct Answer: B - Interpretation of procedure as fair and reasonable

Explanation: Originally, Article 21 was interpreted narrowly in *A.K. Gopalan*. Later, in *Maneka Gandhi*, the Supreme Court expanded the meaning of “procedure established by law” to require fairness, reasonableness, and non-arbitrariness. This transformed Article 21 into a substantive guarantee protecting multiple rights.

2. Correct Answer: C - Doctrine of basic structure

Explanation: The Supreme Court held in *Kesavananda Bharati* that although Parliament can amend the Constitution under Article 368, it cannot alter its **basic structure**, such as rule of law, separation of powers, and judicial review.

3. Correct Answer: B - Special provisions under Part XXI

Explanation: Part XXI provides special constitutional arrangements for certain states. This reflects **asymmetric federalism**, where different states receive different constitutional treatment.

4. Correct Answer: B - Article 75(3)

Explanation: Article 75(3) states that the Council of Ministers is collectively responsible to the House of the People. This principle ensures political accountability in a parliamentary system.

5. Correct Answer: B - Budget and appropriation process

Explanation: The annual financial statement, followed by parliamentary debate and

appropriation legislation, ensures that the executive cannot spend public funds without legislative approval.

6. Correct Answer: B - Legislative autonomy

Explanation: Articles 122 and 212 prevent courts from questioning legislative proceedings on procedural grounds, preserving institutional autonomy and separation of powers.

7. Correct Answer: A - Doctrine of eclipse

Explanation: Pre-constitutional laws inconsistent with fundamental rights are not automatically void but become dormant. They remain valid for non-citizens and may revive if constitutional amendments remove the inconsistency.

8. Correct Answer: B - Constitutional supremacy

Explanation: Because the Constitution is the supreme law, courts have the authority to review legislative and executive actions to ensure compliance with constitutional provisions.

9. Correct Answer: B - Cooperative federalism

Explanation: Article 249 allows Parliament to legislate on State List matters if the Rajya Sabha declares it necessary in national interest, reflecting flexibility within the federal structure.

10. Correct Answer: C - Constitutional morality over majoritarian pressures

Explanation: Courts often rely on constitutional morality to protect rights even when they conflict with prevailing social or majoritarian views.

11. Correct Answer: C - Institutional autonomy

Explanation: Legislatures must be free to regulate their internal procedures without judicial interference, ensuring separation of institutional functions.

12. Correct Answer: B - Article 32

Explanation: Article 32 empowers the Supreme Court to enforce fundamental rights through writ jurisdiction, serving as a key mechanism of checks and balances.

13. Correct Answer: C - Enforcement of fundamental rights

Explanation: Article 32 guarantees citizens the right to approach the Supreme Court for enforcement of fundamental rights, making it a cornerstone of constitutional protection.

14. Correct Answer: B - Doctrine of severability

Explanation: If a statute contains unconstitutional provisions, courts may invalidate only the

offending portions while preserving the rest.

15. Correct Answer: B - Harmonious interpretation

Explanation: Modern constitutional jurisprudence increasingly interprets Directive Principles together with Fundamental Rights, ensuring that socio-economic goals inform rights interpretation.