BLOGS

MCQs on Constitutional Law for CLAT PG [Part 4]

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Q1. The constitutional significance of describing India as a "Republic" lies primarily in the idea that:

A. The President is elected indirectly

B. Political power ultimately vests in the people

C. Parliamentary sovereignty is absolute

D. The Constitution is supreme over all institutions

Q2. The doctrine of basic structure functions as a limitation on:

A. Judicial review

B. Legislative competence of States

C. Constituent power of Parliament

D. Executive discretion

Q3. Which of the following principles was decisively rejected by the Supreme Court in *Kesavananda Bharati*?

A. Parliament can amend Fundamental Rights

B. The Constitution is a living document

C. Amending power is unlimited and absolute

D. Judicial review is part of the Constitution

Q4. The transformation of Article 21 from a narrow guarantee against physical restraint to a source of substantive rights occurred primarily due to:

A. Constitutional amendment

B. Judicial interpretation

C. Parliamentary legislation

D. Directive Principles

Q5. The test of "manifest arbitrariness" under Article 14 allows courts to invalidate legislation primarily when:

A. The law lacks popular support

B. The classification is imperfect

C. The law is capricious or irrational without adequate determining principle

D. The legislature exceeds its competence

Q6. Which Fundamental Right is most closely associated with the concept of human dignity as a constitutional value?

A. Article 14

B. Article 19

C. Article 21

D. Article 25

Q7. The constitutional justification for permitting reasonable restrictions on Fundamental Rights is rooted in:

A. Parliamentary supremacy

B. Collective societal interests

C. Executive convenience

D. Judicial deference

Q8. The exclusion of certain laws from judicial review through the Ninth Schedule was substantially curtailed after:

A. Golaknath v. State of Punjab

B. Kesavananda Bharati v. State of Kerala

C. Minerva Mills v. Union of India

D. I.R. Coelho v. State of Tamil Nadu

Q9. Which statement best captures the constitutional position of Directive Principles of State Policy?

A. They override Fundamental Rights

B. They are legally enforceable rights

C. They are non-justiciable but fundamental in governance

D. They operate only during emergencies

Q10. The doctrine of constitutional morality, as articulated by the Supreme Court, primarily demands:

A. Strict adherence to text alone

B. Ethical governance consistent with constitutional values

C. Judicial supremacy over legislature

D. Popular approval of constitutional interpretation

Q11. Which of the following rights is enforceable even against private individuals by virtue of constitutional mandate?

A. Freedom of speech

B. Equality before law

C. Prohibition of human trafficking

D. Freedom of religion

Q12. The ordinance-making power of the executive is constitutionally justified as:

A. A substitute for Parliament

B. A permanent law-making authority

C. An emergency legislative power subject to limits

D. An implied executive function

Q13. The constitutional importance of Article 32 lies in the fact that it:

A. Creates Fundamental Rights

B. Confers advisory jurisdiction on courts

C. Provides a guaranteed remedy for enforcement of rights

D. Restricts legislative power

Q14. The principle that federalism forms part of the basic structure implies that:

A. States have absolute sovereignty

B. Parliament cannot alter Centre–State relations at all

C. Balance of power cannot be destroyed even by amendment

D. India follows a confederal model

Q15. The recognition of right to privacy as a Fundamental Right primarily altered earlier constitutional understanding by:

A. Creating a new enumerated right

B. Expanding Article 19

C. Giving substantive content to personal liberty

D. Restricting State surveillance completely

Answers

1. Correct Answer: B – Political power ultimately vests in the people Explanation: A republic rejects hereditary rule. All authority flows from the people, even if exercised through elected representatives. This reflects democratic legitimacy.

1. Correct Answer: C – Constituent power of Parliament Explanation: The basic structure doctrine limits Parliament's amending power under Article 368, preventing destruction of core constitutional values.

1. Correct Answer: C – Amending power is unlimited and absolute Explanation: Kesavananda Bharati rejected absolute sovereignty of Parliament by holding that constitutional amendments cannot damage the basic structure.

1. Correct Answer: B – Judicial interpretation Explanation: Through cases like Maneka Gandhi, Francis Coralie Mullin, and later Puttaswamy, courts expanded Article 21 into a source of substantive due process.

1. Correct Answer: C – Capricious or irrational law without adequate principle Explanation: The doctrine allows courts to strike down legislation that is arbitrary in substance, even without a classification defect.

1. Correct Answer: C – Article 21 Explanation: Human dignity forms the core of the right to life and personal liberty, encompassing autonomy, privacy, health, and shelter.

1. Correct Answer: B – Collective societal interests Explanation: Restrictions balance individual liberty with public order, morality, health, and security, preserving social harmony.

1. Correct Answer: D – I.R. Coelho v. State of Tamil Nadu Explanation: The Court held that Ninth Schedule laws are subject to basic structure review if they violate fundamental rights.

1. Correct Answer: C – Non-justiciable but fundamental in governance Explanation: DPSPs guide State policy and inform interpretation of rights but cannot be enforced directly in courts.

1. Correct Answer: B – Ethical governance consistent with constitutional values Explanation: Constitutional morality requires adherence to liberty, equality, dignity, and pluralism beyond mere textual compliance.

1. Correct Answer: C – Prohibition of human trafficking Explanation: Article 23 operates horizontally, binding both State and private actors, unlike most Fundamental Rights.

1. Correct Answer: C – Emergency legislative power subject to limits Explanation: Ordinances are temporary, conditional powers meant to meet urgent situations when Parliament is not in session.

1. Correct Answer: C – Guaranteed remedy for enforcement of rights Explanation: Article 32 itself is a Fundamental Right, ensuring direct access to the Supreme Court.

1. Correct Answer: C – Balance of power cannot be destroyed even by amendment Explanation: While Parliament can alter federal arrangements, it cannot dismantle the federal character entirely.

1. Correct Answer: C – Giving substantive content to personal liberty Explanation: Privacy recognition deepened Article 21 by protecting decisional autonomy, bodily integrity, and informational control.