BLOGS

MCQs on Fundamental Rights (Part III of the Indian Constitution) for CLAT PG

Adtiya Aryan · 07 Jan 2026

1. 44th Constitutional Amendment restored that Article 21 cannot be suspended even during an Emergency. This overruled the effect of:

A. Golaknath judgment

B. ADM Jabalpur judgment

C. Kesavananda judgment

D. Shankari Prasad judgment

2. Which case most directly linked Article 21 with socio-economic substance of life, rather than merely physical survival?

A. Francis Coralie Mullin

B. Olga Tellis

C. Paschim Banga Khet Mazdoor Samity

D. Hussainara Khatoon

3. Article 14 doctrine of "arbitrariness" as a ground of violation was strongly upheld in:

A. Maneka Gandhi v. Union of India

B. E.P. Royappa v. State of Tamil Nadu

C. Keshavananda Bharati case

D. Minerva Mills case

4. The 44th Constitutional Amendment made which of the following changes?

A. Omitted Right to Property from Fundamental Rights

B. Inserted Article 21A

C. Introduced EWS reservation

D. Added Fundamental Duties

5. The 103rd Constitutional Amendment was upheld primarily because the Court held that:

A. Reservation cannot exceed 50%

B. Economic criteria alone can never be basis of reservation

C. Economic criteria can be an independent basis for affirmative action

D. Article 14 does not apply to reservation policies

6. Article 25 guarantees religious freedom but is subject to:

A. Only morality

B. Only public order

C. Only health

D. Public order, morality and health

7. Which Article protects a journalist from revealing sources?

A. Article 19(1)(a) directly

B. Article 19 interpreted by courts

C. Article 32

D. Not protected under Constitution

8. Preventive detention laws must comply primarily with:

A. Article 19

B. Article 21 and 22

C. Article 32 only

D. Article 14 only

9. Right to Privacy has been declared as:

A. Fundamental Right under Article 19(1)(a)

B. Fundamental Right under Article 21

C. Statutory Right

D. Constitutional Convention

10. Which of the following rights is available against both State and private individuals through constitutional interpretation?

A. Freedom of Association

B. Right to Reputation

C. Protection against double jeopardy

D. Right against human trafficking

11. Which of the following is not included within the expression "State" under Article 12?

A. Parliament of India

B. Judiciary performing legislative function

C. Local Authorities

D. Private corporate body discharging sovereign functions

12. If Parliament passes a law restricting Article 19(1)(a) and the restriction is unreasonable, the law will be:

A. Void to the extent of inconsistency

B. Valid but enforceable after amendment

C. Valid during emergency only

D. Automatically saved under Article 13(3)

13. A statutory authority passes an order without giving the affected person an opportunity of hearing, even though the law mandates fair procedure. Which writ most appropriately lies to correct this jurisdictional error?

A. Prohibition

B. Mandamus

C. Certiorari

D. Habeas Corpus

14. The primary constitutional significance of the 9th Constitutional Amendment Act, 1960 lies in:

A. Providing constitutional status to Panchayati Raj Institutions

B. Facilitating territorial reorganization pursuant to the Indo-Pakistan Agreement relating to Berubari Union and exchange of enclaves

C. Introducing provisions for language reorganization of states

D. Inserting laws into the Ninth Schedule to protect land reforms

15. In which case did the Supreme Court recognise that reservation in promotion is permissible only when the State proves inadequate representation and backwardness with quantifiable data?

A. Indra Sawhney v. Union of India

B. M. Nagaraj v. Union of India

C. Jarnail Singh v. Lachhmi Narain Gupta

D. Ashoka Kumar Thakur v. Union of India

Answers

1. Correct Answer: B — ADM Jabalpur judgment

Explanation: In ADM Jabalpur v. Shivkant Shukla (1976), the Supreme Court held that right to life under Article 21 could be suspended during Emergency.
The 44th Amendment (1978) reversed this, ensuring that Article 21 cannot be suspended even during Emergency, thus overruling the effect of ADM Jabalpur.

1. Correct Answer: A — Francis Coralie Mullin case

Explanation: In Francis Coralie Mullin v. Administrator, Union Territory of Delhi (1981), the Supreme Court declared that Article 21 does not merely ensure animal-like survival but guarantees a dignified life. It recognised basic elements such as food, clothing, shelter, expression, and humane treatment as part of “right to life.”

1. Correct Answer: B — E.P. Royappa v. State of Tamil Nadu

Explanation: In E.P. Royappa (1974), the Supreme Court stated that
“Equality is antithetic to arbitrariness.” Thus, arbitrary state action violates Article 14. Maneka Gandhi later expanded this, but Royappa introduced and strongly established the doctrine.

1. Correct Answer: A — Omitted Right to Property from Fundamental Rights

Explanation: The 44th Constitutional Amendment Act, 1978 removed Right to Property as a Fundamental Right (Article 31 repealed) and introduced Article 300A making it a Constitutional Right instead. It did not insert Article 21A, EWS, or Fundamental Duties.

1. Correct Answer: C — Economic criteria can be an independent basis for affirmative action
   Explanation: The 103rd Constitutional Amendment Act, 2019 introduced reservation for

Economically Weaker Sections (EWS) by inserting Article 15(6) and Article 16(6). The Supreme Court, in a 3:2 majority verdict in the Janhit Abhiyan vs Union of India, upheld the validity of the 103rd Constitutional Amendment and recognised economic criteria as a valid ground for affirmative action and permitted up to 10% reservation.

2. Correct Answer: D — Public order, morality and health

Explanation: Article 25(1) guarantees freedom of conscience and religion subject to public order, morality, health and other provisions of Part III.

1. Correct Answer: B — Article 19 interpreted by courts

Explanation: There is no explicit constitutional protection for journalists' sources.
However, the Supreme Court recognises it as part of free speech under Article 19(1)(a) through judicial interpretation, subject to reasonable restrictions.

1. Correct Answer: B — Article 21 and 22

Explanation: Preventive detention directly concerns personal liberty (Article 21), but
Article 22 specifically lays down grounds of detention, right to representation and advisory Board review. Thus, both Articles govern it.

1. Correct Answer: B — Fundamental Right under Article 21

Explanation: In K.S. Puttaswamy v. Union of India (2017), a 9-judge bench held:
Right to Privacy is a fundamental right under Article 21 and intrinsic to personal liberty and dignity.

1. Correct Answer: D — Right against human trafficking

Explanation: Article 23 prohibits trafficking and forced labour, and it applies against State and also applies against private individuals. Article 19 rights apply only against State; Double jeopardy applies to criminal prosecution; Reputation is protected under tort/Article 21 but mainly against State action.

1. Correct Answer: D — Private corporate body discharging sovereign functions

Explanation: Article 12 includes Government & Parliament, State Legislatures, Local Authorities and "Other authorities" under State control. A private body performing sovereign functions may sometimes be brought under Article 12 only if it is under deep/state control, otherwise not automatically included.

1. Correct Answer: A — Void to the extent of inconsistency

Explanation: Under Article 13(2), any law infringing Fundamental Rights is "void to the extent of contravention." So, an unreasonable restriction on speech violates Article 19(2) and becomes unconstitutional.

1. Correct Answer: C — Certiorari

Explanation: When a statutory authority passes an order without following principles of natural justice, especially when a hearing is legally required, the decision suffers from jurisdictional error. Such an order can be quashed by a writ of Certiorari. Prohibition prevents continuation of illegal proceedings, whereas Certiorari is issued after the order is passed to nullify it. Mandamus directs performance of duty but does not quash orders. Habeas Corpus applies to unlawful detention. Therefore, Certiorari is the correct writ to strike down an order passed in violation of fair hearing requirements.

1. Correct Answer: B — Facilitating territorial reorganization pursuant to the Indo-Pakistan Agreement relating to Berubari Union and exchange of enclave

Explanation: The 9th Constitutional Amendment Act, 1960 enabled the implementation of the Indo-Pakistan Agreement relating to the **Berubari Union and exchange of enclaves**, allowing territorial transfer between India and then East Pakistan. It was passed following the Supreme Court's advisory opinion that such transfer required a constitutional amendment.

1. Correct Answer: B — M. Nagaraj v. Union of India

Explanation: In *M. Nagaraj v. Union of India (2006)*, the Supreme Court held that although the Constitution permits reservation in promotions for SCs and STs, the State cannot grant it automatically. The State must first collect **quantifiable data** to prove that the class is still backward, that there is **inadequate representation** in public services, and that reservation will not harm the **efficiency of administration** under Article 335. Thus, reservation in promotion is conditional and must be justified by empirical evidence.