BLOGS

Practice Paper on Constitutional Law: Part I

Ruchika Mohapatra · 06 May 2025

1. Which of the following best explains the doctrine of "pith and substance" in Indian constitutional law?

A. It limits the executive's powers during an emergency

B. It ensures that laws are made only on subjects in the Concurrent List

C. It determines the true nature of legislation when legislative competence is questioned

D. It prevents arbitrary detention without trial

Answer: C

Explanation:

The doctrine of pith and substance is used when there's a conflict of legislative competence between the Centre and States. It asks what the true nature or subject matter of the legislation is. If the law substantially falls within the powers of the enacting legislature, it is valid even if it incidentally touches a subject in the other list. Case: State of Bombay v. F.N. Balsara.

2. In which case did the Supreme Court uphold the basic structure doctrine and invalidated a constitutional amendment?

A. Minerva Mills v. Union of India

B. Golaknath v. State of Punjab

C. A.K. Gopalan v. State of Madras

D. Berubari Union Case

Answer: A

Explanation:

In Minerva Mills v. Union of India, the Supreme Court struck down clauses of the 42nd Amendment that gave unlimited power to Parliament to amend the Constitution, stating it violated the basic structure by destroying judicial review and the balance between Fundamental Rights and Directive Principles.

3. The test of "direct and inevitable effect" was laid down in which of the following cases?

A. R. C. Cooper v. Union of India

B. A.K. Gopalan v. State of Madras

C. Maneka Gandhi v. Union of India

D. Kesavananda Bharati v. State of Kerala

Answer: A

Explanation:

In R.C. Cooper v. Union of India, the Court moved away from the formalistic approach of A.K. Gopalan and held that if a law's direct and inevitable consequence is to violate a Fundamental Right, then the law must be tested under that Right.

4. Which provision enables Parliament to make laws on State subjects under certain circumstances?

A. Article 252

B. Article 249

C. Article 254

D. Article 253

Answer: B

Explanation:

Article 249 allows Parliament to legislate on matters in the State List if the Rajya Sabha passes a resolution (by a two-thirds majority) that it is necessary in the national interest.

5. The power of judicial review is a part of which of the following features of the Constitution?

A. Federalism

B. Separation of Powers

C. Basic Structure

D. Parliamentary Supremacy

Answer: C

Explanation:

The Supreme Court in Kesavananda Bharati and L. Chandra Kumar held that judicial review is

part of the basic structure and cannot be removed even by constitutional amendment.

6. Which of the following doctrines is primarily applied to test the validity of classification under Article 14?

A. Doctrine of arbitrariness

B. Doctrine of proportionality

C. Doctrine of intelligible differentia and rational nexus

D. Doctrine of colourable legislation

Answer: C

Explanation:

Under Article 14, classification is valid if it is based on an intelligible differentia and that differentia has a rational nexus to the object sought to be achieved.

7. In *Kesavananda Bharati v. State of Kerala,* which judge delivered the decisive opinion forming the majority?

A. Justice H.R. Khanna

B. Justice Y.V. Chandrachud

C. Justice A.N. Ray

D. Chief Justice S.M. Sikri

Answer: A

Explanation:

Justice H.R. Khanna delivered the swing vote in Kesavananda Bharati, siding with the majority (7:6) to hold that Parliament’s power to amend the Constitution does not include the power to destroy its basic structure.

8. The doctrine of constitutional silence or constitutional implications was invoked in which of the following cases?

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

B. In Re: Delhi Laws Act

C. Manoj Narula v. Union of India

D. State of W.B. v. Union of India

Answer: C

Explanation:

In Manoj Narula v. Union of India, the Court used the doctrine of constitutional silence to hold that the Constitution is silent on appointing persons with criminal background as Ministers, but ethical governance is implicit in constitutional values.

9. In which of the following cases was Article 21 interpreted to include right to privacy before the Puttaswamy judgment?

A. Olga Tellis v. Bombay Municipal Corporation

B. Govind v. State of M.P.

C. Maneka Gandhi v. Union of India

D. D.K. Basu v. State of West Bengal

Answer: B

Explanation:

In Govind v. State of MP, the Court acknowledged privacy as part of personal liberty under Article 21, though it was not declared a fundamental right until K.S. Puttaswamy.

10. The residuary powers under the Indian Constitution are vested in:

A. State Legislature

B. Concurrent List

C. Parliament

D. Judiciary

Answer: C

Explanation:

Unlike the U.S. Constitution, where states have residuary powers, in India Article 248 vests residuary legislative powers in Parliament, reflecting the quasi-federal nature of the Constitution

Read More: State of Bombay v. FN Balsara