BLOGS

Sectional Test: Legal Comprehension for CLAT PG [Difficulty: Moderate to Hard]

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CLAT PG tests how well you can understand legal ideas, read judgments, and apply them to questions. This practice test has 10 questions from important topics like Constitutional Law, Criminal Law, Contracts, and Jurisprudence. Each question is based on real legal cases or principles and comes with clear explanations. Use this test to check how well you're able to read, understand, and think like a PG-level law student.

Passage 1: (Questions 1–3)

In *K.S. Puttaswamy v. Union of India* (2017), the Supreme Court held that the right to privacy is a fundamental right under Article 21 of the Constitution. The Court reasoned that privacy is intrinsic to life and liberty and is connected to the dignity of the individual. The judgment overruled *M.P. Sharma* (1954) and *Kharak Singh* (1962) to the extent they denied privacy as a fundamental right.

Privacy was defined expansively to include bodily integrity, personal autonomy, informational self-determination, and protection from unwarranted surveillance. The Court also emphasized that any restriction on the right to privacy must be based on legality, necessity, and proportionality.

Q1. The *Puttaswamy* judgment overruled which of the following precedents?
A. Kesavananda Bharati v. State of Kerala
B. Kharak Singh v. State of Uttar Pradesh
C. Golaknath v. State of Punjab
D. A.K. Gopalan v. State of Madras

Q2. According to the passage, the restriction on the right to privacy must satisfy:
A. Reasonableness and public morality
B. Legal procedure and public policy
C. Legality, necessity, and proportionality
D. Doctrine of arbitrariness and rational nexus

Q3. Based on the passage, which of the following would be an unjustified restriction on privacy?

A. A law mandating biometric data collection for national security with safeguards

B. Surveillance ordered by a judicial authority under an anti-terror law

C. Random phone tapping by executive order without any statutory backing

D. A data-sharing agreement between two consenting private companies

Passage 2: (Questions 4–6)

In criminal law, the distinction between culpable homicide and murder has often been debated. Section 299 of the IPC defines culpable homicide, whereas Section 300 defines murder as a subset of culpable homicide with more specific intent or knowledge. The Supreme Court in *Virsa Singh v. State of Punjab* laid down that for murder under Section 300, it must be proved that the accused intended to inflict the very injury that caused death and that the injury was sufficient in the ordinary course of nature to cause death.

The Court also held that motive is not necessary when the intention and injury are clearly established. The 'third clause' of Section 300 deals with cases where death is caused by a bodily injury that is sufficient in the ordinary course of nature to cause death, regardless of whether death was the specific intention.

Q4. Which of the following best represents the 'third clause' of Section 300 IPC?

A. Intent to cause bodily injury, and the injury is sufficient to cause death

B. Death caused by gross negligence

C. Causing death in a sudden fight

D. Death caused without any intent

Q5. In *Virsa Singh*, the Court ruled that motive is:

A. Essential to prove intention

B. Not necessary if intention and injury are proved

C. Necessary only in murder cases, not in culpable homicide

D. Required when circumstantial evidence is relied upon

Q6. A stabs B in the chest intending to injure him. The wound is deep and causes B's death. Medical evidence shows the injury was sufficient in the ordinary course of nature to cause death. Based on *Virsa Singh*, A is likely to be guilty of:

A. Culpable homicide not amounting to murder

B. Grievous hurt

C. Murder under Section 300, third clause

D. No offence, as he didn't intend to kill

Passage 3: (Questions 7–8)

In *Central Inland Water Transport Corporation v. Brojo Nath Ganguly* (1986), the Supreme Court held that an unfair term in a standard form contract, especially one that gives arbitrary powers to an employer, may be struck down as unconscionable. The Court applied Article 14 to the realm of contracts involving the State, especially where inequality of bargaining power existed.

The Court emphasized that a clause allowing termination of employment "without assigning any reason" in a public sector contract violated principles of fairness and was against public policy.

Q7. What principle did the Court primarily rely on to strike down the termination clause?

A. Fundamental right to carry on a profession

B. Equal protection under Article 14

C. Freedom of speech and expression

D. Doctrine of promissory estoppel

Q8. Which of the following best describes the ratio in *Brojo Nath Ganguly*?

A. The State cannot enter into contracts

B. All standard form contracts are illegal

C. Unfair contract terms can be invalidated when there is inequality of bargaining power

D. Article 14 does not apply to employment contracts

Standalone Questions: (Q9–Q10)

Q9. In jurisprudence, which of the following theorists is associated with the "separability thesis," i.e., law and morality are distinct?

A. H.L.A. Hart

B. Ronald Dworkin

C. Roscoe Pound

D. Gustav Radbruch

Q10. Under the Indian Constitution, which of the following is *not* a ground to restrict the right to freedom of speech and expression under Article 19(2)?

A. Public order

B. Defamation

C. Morality

D. Administrative convenience

Answer Key with Explanations

Q. No.	Answer	Explanation
1	B	Kharak Singh v. State of UP (1962) was overruled by Puttaswamy on the issue of privacy as a fundamental right.
2	C	The test laid down in Puttaswamy for restricting privacy is: legality, necessity, and proportionality.
3	C	Executive phone tapping without legal sanction fails the test of legality and proportionality.
4	A	Section 300, third clause, deals with injuries that are intentional and sufficient in the ordinary course of nature to cause death.
5	B	Virsa Singh clarified that once intent and injury are proved, motive is not essential.
6	C	The fact pattern fits the third clause of Section 300 — intentional injury that is sufficient to cause death.
7	B	The Court held that arbitrary power in a contract with a public employer violated Article 14’s guarantee of non-arbitrariness.
8	C	The judgment recognized that unfair terms may be struck down when there’s a clear power imbalance in contracts involving the State.
9	A	H.L.A. Hart advocated for legal positivism and the separability of law and morality.
10	D	Administrative convenience is not a constitutionally recognized ground for restricting Article 19(1)(a).