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MCQ On Fundamental Rights



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In which part of the Indian Constitution, the Fundamental Rights are provided?

- (a) Part II**
- (b) Part III**
- (c) Part V**
- (d) Part IV**

Ans: b



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- The Fundamental Rights are enshrined in Part III of the Constitution (Articles 12-35).
- Part III of the Constitution is described as the Magna Carta of India.
- 'Magna Carta', the Charter of Rights issued by King John of England in 1215 was the first written document relating to the Fundamental Rights of citizens.



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- **Rights are Justiciable:** The rights are justiciable and allow persons to move the courts for their enforcement, if and when they are violated.
- **Any aggrieved person can directly go to the Supreme Court in case of violation of any fundamental right.**



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'Fundamental Rights' are

(A) Justifiable

(B) Non-justifiable

(C) Flexible

(D) Rigid

Ans: A



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The Fundamental Rights: The Constitution of India provides for six Fundamental rights

- **Right to equality (Articles 14-18)**
- **Right to freedom (Articles 19-22)**
- **Right against exploitation (Articles 23-24)**
- **Right to freedom of religion (Articles 25-28)**
- **Cultural and educational rights (Articles 29-30)**
- **Right to constitutional remedies (Article 32)**





- Originally the constitution also included Right to property (Article 31).

However, it was deleted from the list of Fundamental Rights by the 44th Amendment Act, 1978.

- It is made a legal right under Article 300-A in Part XII of the constitution.



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Which of the following is given the power to enforce the Fundamental Rights by the Constitution?

(A) All Courts in India

(B) The Parliament

(C) The President

(D) The Supreme Court and High Courts

Ans:D



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- Features of The Fundamental Rights• FRs are protected and guaranteed by the constitution.
- **FRS are NOT sacrosanct or absolute:** in the sense that the parliament can curtail them or put reasonable restrictions for a fixed period of time. However, the court has the power to review the reasonability of the restrictions.
- **FRS are justiciable:** The constitution allows the person to move directly to the Surpreme Court for the reinforcement of his fundamental right as and when they are violated or restricted.



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- **Suspension of Fundamental Rights: All the Fundamental Rights are suspended during National Emergencies except the rights guaranteed under Articles 20 and 21.**
- **Restriction of Fundamental Rights: The Fundamental Rights can be restricted during military rule in any particular area.**



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Under which of the following articles, the Indian Constitution Guarantees Fundamental Rights to the citizens?

- (A) Articles 12 to 35**
- (B) Only Articles 12 to 30**
- (C) Only Articles 15 to 35**
- (D) Only Articles 14 to 32**

Ans:a



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Which fundamental rights cannot be suspended even during an emergency?

- (a) Right to Speech**
- (b) Right to Religion**
- (c) Right to Equality**
- (d) Right to Life and Personal Liberty**

Ans (d)



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Classification of Fundamental Rights	Article	Deals With
Right to Equality	14	Equality Before Law
	15	Prohibition of Discrimination
	16	Equality of Opportunity in Public Employment
	17	Abolition of Untouchability
	18	Abolition of Titles



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Right to Freedom	19	Protection of 6 Rights •Right to freedom of speech and expression. •Right to assemble peaceably and without arms. •Right to form associations or unions or co-operative societies. •Right to move freely throughout the territory of India. •Right to reside and settle in any part of the territory of India. •Right to practice any profession or to carry on any occupation, trade or business.
	20	Protection in Respect of Conviction for Offences
	21	Protection of Life and Personal Liberty
	21-A	Right to Education
	22	Protection Against Arrest and Detention



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Right Against Exploitation	23	Prohibition of Human Trafficking and Forced Labour
	24	Prohibition of Child Labour
Right to Freedom of Religion	25	Freedom of Conscience, Profession, Practice and Propagation
	26	Freedom to Manage Religious Affairs
	27	Freedom from Taxation for Promotion of a Religion
	28	Freedom from Attending Religious Instruction



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Educational and Cultural Rights	29	Protection of Interests of Minorities
	30	Right of Minorities to Establish and Administer Educational Institutions
Right to Constitutional Remedies	32	Right to remedies for the enforcement of the fundamental rights using five writs: <ul style="list-style-type: none">• Habeas Corpus - to direct the release of a person detained unlawfully.• Mandamus - to direct a public authority to do its duty.• Quo Warranto - to direct a person to vacate an office assumed wrongfully.• Prohibition - to prohibit a lower court from proceeding on a case.• Certiorari - the power of the higher court to remove a proceeding from a lower court and bring it before itself.



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Which of the following Articles of the Indian Constitution contain the Right to Religious Freedom?

(a) Articles 25-28

(b) Articles 29-30

(c) Articles 32-35

(d) Articles 23-24

Ans: a



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Which of the following Article of the Indian Constitution guarantees 'Equality Before the Law and Equal Protection of Law within the Territory of India'?

(a) 15

(b) 14

(c) 17

(d) 18

Ans: b



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**Which Article of the Indian Constitution abolishes
Untouchability?**

- (a) Article 18**
- (b) Article 15**
- (c) Article 14**
- (d) Article 17**

Ans:d



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Under which article of the Constitution reservations in admission to educational institutions, including private and unaided, to OBCS/ST/SC is made?

(A) Article 15(4)

(B) Article 15(5)

(C) Article 16(4)

(D) Article 16(5)

Ans:B



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- Article 15(1) prohibits the state from discriminating on the grounds only of religion, race, caste, sex, or place of birth. (Here the prohibition of discrimination is in the terms of access to shops, public restaurants, hotels, places of public entertainment or the use of wells, tanks, roads, and other public places maintained wholly or partially out of the State Funds or dedicated to the use of the general public.)
- **Article 15(3): The state can make special provisions for women and children.**



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- **Article 15(4): The State can make special provisions for socially/educationally backward classes including the Scheduled Castes and Scheduled Tribes.**
- **Article 15(5): The State can make special provisions for the advancement of any socially/educationally backward classes of citizens regarding their admission to educational institutions including private institutions. This provision was added by the 93rd Amendment Act, 2005.**



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Which Article of the Constitution gives precedence to Constitutional provisions over the laws made by the Union Parliament/State Legislatures?

- (A) 13 (B) 32**
(C) 245 (D) 326

Ans:A



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- **Provision for Laws Violating Fundamental Rights: Article 13 of the Indian constitution declares that all laws that are inconsistent with or in derogation of any of the fundamental rights shall be void.**
- **This power has been conferred on the Supreme Court (Article 32) and the high courts (Article 226).**



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- However, the Supreme Court in the Kesavananda Bharati case (1973) held that a Constitutional amendment can be challenged if it violates a fundamental right.



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In the Indian Constitution of the 'Right to Freedom' is granted by four Articles which are

- (A) Article 19 to Article – 22**
- (B) Article 16 to Article – 19**
- (C) Article - 17 to Article - 20**
- (D) Article 18 to Article – 21**

Ans : a



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Which Article of the Constitution protects the 'Right of minorities to establish and administer educational institutions of their choice'?

(A) 19

(B) 26

(C) 29

(D) 30

Ans:D



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By which of the following case Parliament got the right to amend Fundamental Rights?

- (A) Keshvanand Bharti Case**
- (B) Rajnarayan Vs. Indira Gandhi Case**
- (C) Golaknath's Case**
- (D) Sajjan Singh Case**

Ans: A



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How many Fundamental Rights are there in the Indian Constitution?

- (A) Six**
- (B) Seven**
- (C) Eight**
- (D) Nine**

Ans:A



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Which article of the Constitution of India guarantees the equality of opportunity?

- (A) Article 14 of the Indian constitution**
- (B) Article 13 of the Indian constitution**
- (C) Article 16 of the Indian constitution**
- (D) Article 17 of the Indian constitution**

Ans- C.



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Which fundamental right has been added to the Constitution by the 86th Amendment of the Indian Constitution in 2002?

- A. Right to Education**
- B. Right to Life**
- C. Right to Religion**
- D. Right against exploitation**

Answer - A. Right to Education



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Which features of Indian constitution was borrowed from USA
_____ ?

- A. Fundamental rights**
- B. Fundamental Duties**
- C. Emergency Provisions**
- D. Citizenship**

Answer- A.



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By which of the following Right to Property has been omitted?

- (A) 40th Amendment of Constitution**
- (B) 42nd Amendment of Constitution**
- (C) 44th Amendment of Constitution**
- (D) 46th Amendment of Constitution**

Ans:C



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The 'State' under Article 12 of the Indian Constitution includes:

- 1. The Government and Parliament of India.**
- 2. The Government and legislature of the states.**
- 3. Local authorities or other authorities within the territories of India or under the control of the Government of India.**

Which of the statements given above are correct?

- (a) 1, 2 and 3 (b) 2 and 3
(c) 1 and 2 (d) 1 and 3

Ans:a



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Article 12: Defines The State

Article 12 of the Indian Constitution defines The State as:

The Government and Parliament of India,

The Government and legislatures of the states,

All local authorities and Other authorities in India or under the control of the Government of India.



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Which of the following articles provides protection for the Indian citizens only?

- (a) Article 26**
- (b) Article 27**
- (c) Article 28**
- (d) Article 29**

Ans:d



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The restriction on the state for not to compel anyone to pay a tax for religious tasks, has been provided in which one of the following articles?

- (a) Article 25**
- (b) Article 26**
- (c) Article 27**
- (d) Article 28**

Ans: c



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Right to Property according to Indian Constitution is

- (a) Fundamental Right**
- (b) Legal Right**
- (c) Natural Right**
- (d) Directive Principles**

Ans:b



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Which one of the following rights was described by Dr. B.R. Ambedkar as the heart and soul of the Constitution?

- (a) Right to Freedom of Religion**
- (b) Right to Property**
- (c) Right to Equality**
- (d) Right to Constitutional Remedies**

Ans:d



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Question: Consider the following statements:

- 1. Quo-warranto is a very powerful instrument for safeguarding against the usurpation of public offices.**
- 2. A High Court can issue a mandamus to compel a court or judicial tribunal to exercise its jurisdiction when it has refused to exercise it.**

Which of the statements given above is/are correct?

- (a) Only 1** **(b) Only 2**
(c) Both 1 and 2 **(d) Neither 1 nor 2**

Ans:c



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Which one of the following writs is issued by an appropriate judicial authority/body to free a person who has been illegally detained?

- (a) Quo-warranto**
- (b) Mandamus**
- (c) Certiorari**
- (d) Habeas Corpus**

Ans:d



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Which of the following are envisaged by the Right against Exploitation in the Constitution of India?

- 1. Prohibition of traffic in human beings and forced labour**
- 2. Abolition of untouchability**
- 3. Protection of the interests of minorities**
- 4. Prohibition of employment of children in factories and mines**

Select the correct answer using the code given below:

- (a) 1, 2 and 4 only (b) 2, 3 and 4 only
(c) 1 and 4 only (d) 1, 2, 3 and 4

Ans:c



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Which one of the following Articles was termed as the 'Heart and Soul of the Constitution' by Dr. B.R. Ambedkar?

(A) Article 14

(B) Article 25

(C) Article 29

(D) Article 32

Ans:D



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The Supreme Court of India has propounded the 'Doctrine of Basic Structure' of the Constitution in which of the following cases?

- (A) Golaknath Vs. Punjab State**
- (B) Sajjan Singh Vs. Rajasthan State**
- (C) Keshvanand Bharti Vs. Kerala State**
- (D) Shankari Prasad Vs. Indian Union**



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Question of the day

Incorrect

- (a) Prohibition of Discrimination- Article 15**
- (b) Right to association- Article 19**
- (c) Right to Protection of Life- Article 20**
- (d) Right to Constitutional Remedies- Article 32**



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