

**TEST No. 35**

**TOPIC: Fundamental Rights**

**SUBJECT: INDIAN POLITY**

**Explanation:**

Question 1

Answer A

Explanation: In the A.K. Gopalan Case 1950, the Supreme Court has taken a narrow interpretation of Article 21. It held that the protection under Article 21 is available only against arbitrary executive action and not from arbitrary legislative action.

Question 2

Answer A

Explanation: Article 21 A declares that the State shall provide free and compulsory education to all children of the age of six to fourteen years in such a manner as the State may determine.

Thus, this provision makes only elementary education a Fundamental Right and not higher or professional education.

This provision was added by the 86th Constitutional Amendment Act of 2002.

Question 3

Answer C

Explanation: However, military and academic distinctions can be conferred on the citizens of India. The awards of Bharat Ratna and Padma Vibhushan cannot be used by the recipient as a title and do not, accordingly, come within the constitutional prohibition". The Supreme Court, on 15 December 1995, upheld the validity of such awards.

Question 4

Answer B

Explanation: All Statements are correct.

Question 5

Answer A

Explanation: The right to reside in any part of the territory could be restricted for the Interest of General Public and Protection of Tribes and not for some other reason. That is why one will need special permission to visit some tribal areas like Inner Line Permits.

Question 6

Answer C

Explanation: The Right to Freedom of expression is restricted on 8 grounds, those are Friendly Relations with foreign countries, Contempt of Court (and not constitutional posts), public order, decency and morality, sovereignty and integrity of state, Security of the state, defamation and Incitement of Offence. Logical thinking cannot be criteria as we cannot expect everyone

to be intelligent before speaking anything.

Question 7

Answer B

Explanation: Freedom of Press is not explicitly mentioned but derived under “article 19 (1) (a) Freedom of Expression” but derived from it. It is assumed that, freedom of expression also includes the freedom to express views and opinion of others. Hence it is derived from article 19; and it is also subject to the same reasonable restrictions.

Question 8

Answer C

Explanation: Freedom of Press is not explicitly mentioned but derived under “article 19 (1) (a) Freedom of Expression” but derived from it. It is assumed that, freedom of expression also includes the freedom to express views and opinion of others. Hence it is derived from article 19; and it is also subject to the same reasonable restrictions.