

(ADM Jabalpur v Shivakant Shukla Case) – 1976: In this landmark judgment, the Supreme Court declared that the rights of citizens to move the court for violation of Articles 14, 21 and 22 would remain suspended during emergencies.

20) Consider the following statement regarding Fundamental Rights.

1. Fundamental Rights in our Constitution are more elaborate than those found in the Constitution of any other country in the world, including the USA.
2. Fundamental Rights are named so because they are guaranteed and protected by the Parliament, the supreme law-making body in India.

Which of the above statements is/are correct?

- a) 1 only
- b) 2 only
- c) Both 1 and 2
- d) Neither 1 nor 2

Solution: a)

Part III of the Constitution is rightly described as the Magna Carta of India. It contains a very long and comprehensive list of 'justiciable' Fundamental Rights. In fact, the **Fundamental Rights in our Constitution are more elaborate than those found in the Constitution of any other country in the world, including the USA.**

The **Fundamental Rights are named so because they are guaranteed and protected by the Constitution**, which is the fundamental law of the land.

21) Consider the following statements

1. Article 11 declares that all laws that are inconsistent with or in derogation of any of the fundamental rights shall be void.
2. The term 'untouchability' has been defined in Untouchability (Offences) Act, 1955

Which of the above statements is/are correct?

- a) 1 only
- b) 2 only
- c) Both 1 and 2
- d) Neither 1 nor 2

Solution: d)

Article 13 declares that all laws that are inconsistent with or in derogation of any of the fundamental rights shall be void. In other words, it expressly provides for the doctrine of judicial review. This power has been conferred on the Supreme Court (Article 32) and the high courts (Article 226) that can declare a law unconstitutional and invalid on the ground of contravention of any of the Fundamental Rights.

The term 'untouchability' has not been defined either in the Constitution or in the Act.

22) Which of the following articles in the Constitution has/have a bearing on ensuring a safe workplace for women?

1. Article 14
2. Article 15
3. Article 21

Select the correct answer code:

- a) 1 only
- b) 3 only
- c) 1, 2, 3
- d) 2, 3

Solution: c)