

CLAT LAW PRACTICE WORKSHEET - 4

FUNDAMENTAL RIGHTS — ARTICLES 20, 21, 21A & 22

PASSAGE I

Raghav Malhotra is a successful Mumbai businessman whose life resembles the dramatic rise-and-fall stories often shown in Bollywood films. In January 2026, Raghav transfers ₹20 lakh to a friend through a method that is entirely lawful at that time. There is no legislation prohibiting such transactions. In July 2026, Parliament passes a new criminal law declaring that transferring money through that particular method is a criminal offence punishable with imprisonment of up to five years. The law does not expressly state that it applies retrospectively. The investigating agency nevertheless discovers Raghav's January transaction and announces that he will be prosecuted under the new law.

Raghav's lawyer argues that when Raghav acted, the conduct was not an offence. The prosecution responds that the new law is designed to protect the public and that Raghav's conduct would be punishable if committed today. In a different matter, Raghav is prosecuted and convicted for cheating a business partner. He serves the sentence imposed by the court. Several years later, a second prosecution is initiated against him for the very same offence, arising from the same transaction, and the prosecution seeks to punish him again.

Meanwhile, Raghav is arrested in a separate criminal investigation. The police tell him that unless he admits that he manipulated company accounts, his family members will be arrested. They repeatedly question him and demand that he personally explain the incriminating entries. Raghav refuses to make the statement. The police then obtain his fingerprints, photograph, handwriting samples and certain physical records from the company. Raghav argues that all of these acts violate his constitutional protection against self-incrimination because they are evidence that may ultimately be used against him.

The investigating officer also proposes that Raghav undergo a narco-analysis examination without his consent, arguing that the State must be permitted to discover the truth in serious economic offences. Raghav's lawyer challenges all these actions under Article 20.

Q1. Raghav's prosecution for the January transaction under the July 2026 criminal law most directly raises:

- A.** Article 20(1), because a person cannot be convicted for an act that was not an offence when committed.
- B.** Article 20(2), because prosecution under a new law constitutes double jeopardy.
- C.** Article 20(3), because every retrospective law amounts to self-incrimination.
- D.** Article 21, because Article 20 applies only after conviction.

Q2. Which statement most accurately explains Article 20(1)?

- A.** Parliament can never enact a law having any retrospective operation whatsoever.
- B.** A person cannot be convicted for an act that was not an offence when committed, nor be subjected to a greater criminal penalty than that applicable when the offence was committed.
- C.** Parliament may retrospectively criminalise conduct if the conduct is considered harmful to society.
- D.** Retrospective criminal laws are permissible so long as the accused receives a fair trial.

Q3. Suppose the July law increased the punishment for the offence from a maximum of two years to a maximum of five years. Raghav had committed the offence before the amendment. Which is the most constitutionally accurate position?

- A.** The five-year punishment may automatically apply because the trial takes place after the amendment.
- B.** The five-year punishment cannot be imposed for the earlier conduct merely because the trial takes place after the amendment.
- C.** The five-year punishment must apply because criminal law always follows the law in force on the date of trial.
- D.** Article 20(1) applies only where the entire offence itself was created retrospectively, not where punishment is increased.

Q4. Raghav has already been prosecuted and punished for the same cheating offence. A second prosecution seeks to prosecute and punish him again for the same offence. The most directly applicable protection is:

- A.** Article 20(1)
- B.** Article 20(2)
- C.** Article 20(3)
- D.** Article 22(1)

Q5. Which statement most accurately captures the constitutional protection under Article 20(2)?

- A.** A person can never be investigated twice in relation to the same facts.
- B.** A person cannot be arrested twice for any offence arising from the same transaction.
- C.** A person cannot be prosecuted and punished more than once for the same offence.
- D.** A person cannot face two separate civil proceedings arising from the same transaction.

Q6. The police threaten Raghav's family and compel him to verbally admit that he manipulated the accounts. Which Article 20 protection is most directly implicated?

- A.** Protection against retrospective criminal legislation.
- B.** Protection against double jeopardy.
- C.** Protection against compelled self-incrimination.
- D.** Protection against preventive detention.

Q7. Raghav argues that taking his fingerprints and handwriting samples automatically violates Article 20(3). Which is the most constitutionally accurate response?

- A.** Correct, because Article 20(3) prohibits every form of evidence obtained from an accused.
- B.** Correct, because physical evidence and testimonial evidence are constitutionally identical.
- C.** Incorrect, because Article 20(3) primarily protects against compelled testimonial evidence rather than every form of physical or material evidence.
- D.** Incorrect, because Article 20(3) applies only to persons who have already been convicted.

Q8. The police seek to conduct a narco-analysis test on Raghav without his consent. Which principle is most relevant?

- A.** Involuntary administration of testimonial techniques may raise Article 20(3) concerns because of testimonial compulsion.
- B.** Article 20(3) permits involuntary narco-analysis whenever the offence is serious.
- C.** Article 20(3) applies only to written confessions and not to statements obtained through scientific techniques.
- D.** Narco-analysis is constitutionally irrelevant because scientific evidence can never constitute testimony.

PASSAGE II

Kabir Khan is a fictional Bollywood filmmaker whose latest political film has attracted intense public attention. A State government is unhappy with the film because it portrays senior political leaders in an unflattering manner. Before the film's release, the authorities seize Kabir's passport and prevent him from travelling abroad to attend an international film festival.

Kabir challenges the action, arguing that his personal liberty has been restricted without a fair procedure. The government replies that a statutory provision gives an official the power to impound passports whenever necessary and that merely following the statutory procedure is sufficient to satisfy Article 21.

While the litigation is pending, Kabir is arrested in another case. He is kept in custody for several months without meaningful progress in his trial. His family cannot afford a lawyer, and the authorities initially refuse to provide him with legal assistance.

Kabir alleges that police officers repeatedly assault him during interrogation and threaten him with further violence if he refuses to confess. His lawyer argues that even a person lawfully arrested does not lose the right to dignity and protection from custodial violence.

During the same period, Kabir's private medical records, location history and intimate personal communications are obtained by government authorities without adequate safeguards. The authorities argue that once a person is suspected of an offence, privacy is no longer constitutionally protected.

A separate municipal project threatens to remove a large group of street vendors from the area in which they earn their livelihood. The government argues that the Constitution protects life but does not guarantee a right to earn a living.

Finally, a chemical factory operating near a residential area releases toxic pollutants into the air and water. Residents argue that a clean environment is essential to living a meaningful and dignified life.

Kabir's lawyer tells him that Article 21 is not merely a protection against physical killing. It has been interpreted by the Supreme Court to protect several dimensions of a meaningful and dignified human existence.

Q9. Article 21 protects:

- A.** Only citizens of India.
- B.** Only persons accused of offences.
- C.** Every person, subject to the constitutional limitations applicable to deprivation of life or personal liberty.
- D.** Only persons physically present in government institutions.

Q10. The government's argument that the existence of a statutory procedure automatically makes the passport seizure constitutional is most directly challenged by which principle?

- A.** After Maneka Gandhi, the procedure depriving personal liberty must satisfy requirements of fairness, justice and reasonableness.
- B.** Article 21 requires every restriction on liberty to be approved by Parliament through a constitutional amendment.
- C.** Article 21 prohibits every restriction on personal liberty.
- D.** Article 21 applies only when no legislation exists.

Q11. Which case is most closely associated with the transformation of Article 21 from a narrow procedural guarantee into a broader guarantee requiring fair, just and reasonable procedure?

- A.** State of Bombay v. Kathi Kalu Oghad
- B.** Maneka Gandhi v. Union of India
- C.** Balaji Raghavan v. Union of India
- D.** Hussainara Khatoon v. State of Bihar

Q12. Kabir's prolonged detention without meaningful progress in his criminal trial most directly raises:

- A.** The right to speedy trial under Article 21.
- B.** The right to form associations under Article 19(1)(c).
- C.** The right against titles under Article 18.
- D.** The right to property under Article 300A.

Q13. Kabir's inability to afford a lawyer and the State's refusal to provide legal assistance most directly implicate:

- A.** The constitutional principle of access to legal aid connected with fair procedure and Article 21.
- B.** Article 18 because legal representation is an academic distinction.
- C.** Article 19(1)(g) because every lawyer has an unrestricted right to practise.
- D.** Article 21 only if Kabir has already been convicted.

Q14. The police assault Kabir in custody and threaten him with further violence. Which statement is most constitutionally accurate?

- A.** Article 21 ceases to apply once a person is lawfully arrested.
- B.** A person in custody continues to possess constitutional protections concerning dignity and protection from custodial violence.
- C.** Custodial violence is exclusively a matter of prison administration and cannot raise Fundamental Rights issues.
- D.** Article 21 protects only against violence inflicted by private individuals.

Q15. The authorities obtain Kabir's medical records, location history and intimate communications without adequate safeguards. Which right is most directly implicated?

- A.** Right to privacy, recognised as a Fundamental Right and closely connected with Articles 14, 19 and 21.

- B.** Right to equality alone, because privacy is not constitutionally recognised.
- C.** Right to freedom of religion, because private information necessarily concerns religious belief.
- D.** Right to property alone, because personal information is always property.

Q16. The street vendors argue that their livelihood is protected as part of Article 21. Which landmark case most directly supports this proposition?

- A.** Olga Tellis v. Bombay Municipal Corporation
- B.** K.S. Puttaswamy v. Union of India
- C.** D.K. Basu v. State of West Bengal
- D.** A.K. Gopalan v. State of Madras

Q17. The residents affected by toxic pollution argue that environmental protection is connected with Article 21. Which is the most constitutionally accurate response?

- A.** Article 21 concerns only protection from intentional killing and therefore has no environmental dimension.
- B.** The Supreme Court has interpreted the right to life broadly enough to encompass dimensions such as a healthy and clean environment necessary for meaningful life.
- C.** Environmental rights arise only under Article 18.
- D.** Environmental protection is exclusively a Directive Principle and can never have a Fundamental Rights dimension.

PASSAGE III

Aarav and Meera are 10-year-old children living in a small town. Their father works as an auto-rickshaw driver and their mother works part-time at a tailoring unit. The family's financial condition is poor.

A private school in the locality refuses to admit Aarav unless his parents pay a large compulsory "development contribution." The school says that education is a service and that parents who cannot pay should send their children elsewhere.

Meanwhile, the State government has failed to ensure that a nearby government school has sufficient teachers and basic arrangements for children in the 6–14 age group. Officials argue that the Constitution merely encourages the State to provide education and does not impose an enforceable obligation.

Aarav's 17-year-old cousin, Rohan, argues that he too should be able to invoke Article 21A because he is still a minor. Rohan has never completed secondary school and wants the State to provide him free education under Article 21A.

The children's parents also argue that they should not be required to send their children to school because education is ultimately a personal family choice.

A local official explains that the constitutional scheme has three connected provisions. One places an express obligation on the State concerning children between 6 and 14 years. Another concerns early childhood care and education for children below six years. A third places a Fundamental Duty upon parents or guardians concerning educational opportunities for children in a particular age group.

The family approaches a lawyer to understand the constitutional position.

Q18. Article 21A specifically guarantees:

- A.** Free and compulsory education to all children from birth until eighteen years.
- B.** Free and compulsory education to all children of the age of six to fourteen years in the manner provided by law.
- C.** Free higher education to every citizen below twenty-one years.
- D.** Education only to children belonging to economically weaker sections.

Q19. Article 21A was inserted into the Constitution by:

- A.** The 42nd Constitutional Amendment Act, 1976.
- B.** The 44th Constitutional Amendment Act, 1978.
- C.** The 86th Constitutional Amendment Act, 2002.
- D.** The 103rd Constitutional Amendment Act, 2019.

Q20. Rohan is 17 years old. Which is the most accurate statement regarding Article 21A?

- A.** Rohan automatically has a Fundamental Right to free and compulsory education under Article 21A because all persons below 18 are children.
- B.** Article 21A specifically covers the age group of 6–14 years, so Rohan falls outside its express age range.
- C.** Article 21A covers all children below 21 years.
- D.** Article 21A applies only to children below 10 years.

Q21. Which statement best explains the word "compulsory" in Article 21A?

- A.** It primarily imposes a criminal punishment on every child who does not attend school.
- B.** It reflects a constitutional obligation upon the State to ensure education for children in the specified age group.
- C.** It permits private schools to compel parents to pay any amount necessary for education.

D. It removes all parental responsibilities concerning education.

Q22. Aarav's school demands a compulsory payment as a condition for admission. Which principle is most relevant to the constitutional objective behind Article 21A?

A. The right to free education would be undermined if financial barriers of the prohibited kind were imposed upon children within the constitutional age group.

B. Article 21A guarantees free education only in universities.

C. Article 21A applies only where the child is unable to pay for food.

D. Article 21A is merely a Directive Principle and therefore cannot impose any constitutional obligation.

Q23. Which legislation provides the principal statutory framework for implementing Article 21A?

A. Protection of Civil Rights Act, 1955

B. Right of Children to Free and Compulsory Education Act, 2009

C. Juvenile Justice Act, 2015

D. National Education Policy, 2020 alone

Q24. The constitutional provision dealing specifically with early childhood care and education for children below six years is:

A. Article 21A

B. Article 39A

C. Article 45

D. Article 51A(k)

Q25. The Fundamental Duty of a parent or guardian concerning educational opportunities for a child or ward between six and fourteen years is found in:

A. Article 51A(a)

B. Article 51A(k)

C. Article 45

****D.** Article 16(6)

PASSAGE IV

Vikram Singh is a fictional character in a Bollywood-style political thriller. Following a large protest in the capital, police arrest Vikram at his home at 11:30 p.m. The police do not immediately

tell him why he is being arrested. When Vikram asks for the grounds, the officer says that the reasons will be explained "after the investigation is complete."

Vikram requests that his lawyer be allowed to accompany him during the initial proceedings. The police refuse and tell him that an accused person has no constitutional right to consult a lawyer until the investigation has ended.

Vikram's family members arrive at the police station. The authorities do not provide them with meaningful information about his detention.

The next morning, Vikram is produced before an Executive Magistrate. The police request that he be kept in custody for several weeks without obtaining an order from a competent judicial authority. Vikram argues that the Constitution requires an arrested person to be produced before a magistrate within 24 hours, excluding the time necessary for the journey.

The government then changes its approach. It states that Vikram is being detained preventively under a preventive detention law because authorities believe that his activities may threaten public order. Vikram has not yet been convicted of any offence.

His lawyer argues that preventive detention cannot be treated exactly like ordinary punitive arrest. However, he also argues that preventive detention is subject to constitutional safeguards.

The government informs Vikram that it need not communicate the grounds of detention because revealing them might inconvenience the authorities. Vikram's lawyer challenges this position.

In a separate case, another detainee has been detained under a preventive detention law for several months. The government claims that the detainee has no right to have his case examined by an Advisory Board because preventive detention is entirely within executive discretion.

The lawyer explains that Article 22 contains separate safeguards for ordinary arrest and preventive detention and that students must not mechanically apply the safeguards of one category to the other.

Q26. An ordinary arrested person must ordinarily be informed of the grounds of arrest under:

- A.** Article 20(1)
- B.** Article 21A
- C.** Article 22(1)
- D.** Article 18(2)

Q27. Vikram's request to consult and be defended by a legal practitioner of his choice is primarily protected by:

- A.** Article 22(1)
- B.** Article 19(1)(c)

C. Article 18(1)

D. Article 16(4)

Q28. The constitutional requirement concerning production of an arrested person before the nearest magistrate is ordinarily:

A. Within 12 hours, irrespective of travel time.

B. Within 24 hours, excluding the time necessary for the journey to the magistrate's court.

C. Within 48 hours, including the time necessary for the journey.

D. Within seven days unless the accused demands earlier production.

Q29. Which of the following is the most accurate statement about the 24-hour requirement?

A. It applies identically to every form of detention, including preventive detention.

B. It is a safeguard associated with ordinary arrest and detention under Article 22(2), subject to the constitutional exception for preventive detention.

C. It applies only after a person has been convicted.

D. It is merely a statutory rule and has no constitutional basis.

Q30. Vikram's preventive detention differs from ordinary punitive detention because:

A. Preventive detention is intended to prevent anticipated harmful conduct rather than punish a person for an offence already proved in the ordinary criminal process.

B. Preventive detention means the detainee has already been convicted.

C. Preventive detention is never subject to constitutional safeguards.

D. Preventive detention automatically violates Article 21.

Q31. Which statement most accurately describes the constitutional safeguard concerning communication of grounds in preventive detention?

A. Grounds of detention can never be communicated because preventive detention is confidential.

B. The detained person must generally be communicated the grounds of detention as soon as may be, subject to the constitutional exception relating to facts considered against the public interest to disclose.

C. Grounds must be communicated only after the detainee is released.

D. Grounds need to be communicated only if the detainee has already been convicted.

Q32. Which statement most accurately describes the Advisory Board safeguard in preventive detention?

- A.** Preventive detention is completely immune from review by any body.
- B.** The Constitution contemplates safeguards involving an Advisory Board in accordance with the requirements of Article 22 and the applicable law.
- C.** The Advisory Board replaces all courts in every criminal proceeding.
- D.** An Advisory Board is required for every ordinary arrest under Article 22(1)