

# Our Fundamental Rights and Duties

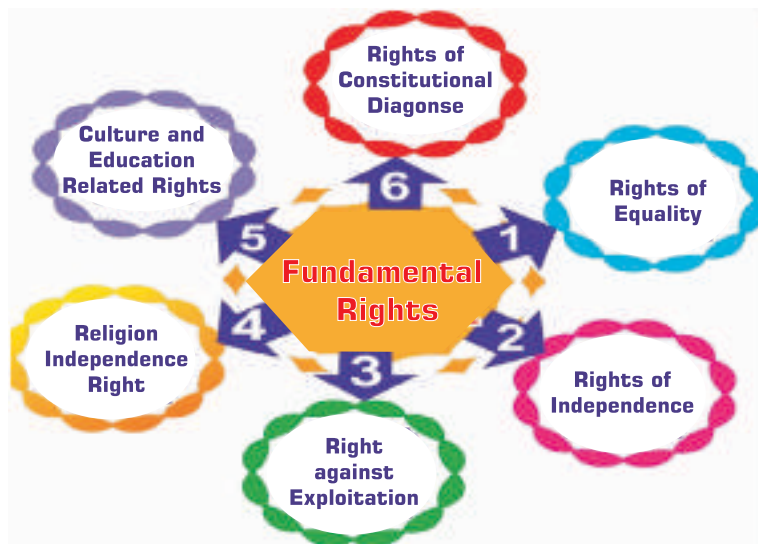
This lesson aims at discussing the details about the Fundamental Rights and Duties. We will be acquainted with the provisions of usage and protection of these Rights. In last chapter we learnt about characteristics of our constitution which establishes our country as democratic welfare state. As we know that an individual forms a family, family constitutes the society and society forms the nation means individual is the centre point of a country. The development of the nation is not possible without developing its people first. Our constitution guarantees some basic rights for physical, mental, moral and spiritual development of every individual. These rights facilitate some kind of freedom to the people against strict rules of the country.

Rights are favourable situations and opportunities for people under the aegis of the constitution which help them in all round development. Rights are also manifesto for the state to respect the dignity and importance of its people. The Constitution guarantees six Fundamental Rights to Indian citizens. It means, if anyone finds his rights being compromised, he has every right to appeal in court.

## Our Fundamental Rights

Prior to independence we were deprived of liberty of expression and right to live. We didn't have the right to protest against inhuman policies of British Rule. The struggle of freedom fighters is a story of struggle to get fundamental rights. Many of our freedom fighter went jail and also laid their life to provide these fundamental rights to us. Fundamental Rights were also mentioned in 'Nehru Report' published in 1928.

Our Constituent Assembly accepted the Fundamental Rights in accordance to proposed 'Objectives Resolution'. Protection of life and development of an individual totally depend on fundamental rights. When any of our rights are violated, we can seek justice through high courts or supreme court.



Come, Let is discuss of Fundamental Rights in detail-

1. **Right to Equality**-Equality is the foundation of democracy. The Constitution guarantees that all citizens will be equal before law. It means that everyone will be equally protected by the laws of the country. The State will not discriminate against a citizen on the basis of religion, race, caste, sex or place of birth. Practising untouchability in any form has been made a punishable offence under the law. All the social titles have been abolished. However, the State can confer the awards to those who have rendered meritorious service to the nation in different fields of Education and Military.
2. **Right to Freedom** -The constitution of India provides many kind of liberty to its citizen. They are mainly: - (i) Freedom of speech and expression (ii) Freedom to assemble peacefully (iii) Freedom to form Political, Social, Cultural and Economic associations and unions (iv) freedom to move freely and reside or settle in any part of the territory of India (v) Freedom to practise any profession or to carry on any occupation, trade or business (vi) Right to life and legally protection to safeguard dignity and status. By 86<sup>th</sup> amendment in constitution in 2002, all the children between the age group of six to fourteen years will be provided free and compulsory education under the Right to Education Act.
3. **Right against Exploitation**- Our Constitution provides the right against exploitation of social inequality, slavery and unemployment to all citizens of India. Human Trafficking, *begar* and other similar forms of forced labour are prohibited and any breach of this provision shall be an offence punishable in accordance with law. According to this right of Constitution, no child below the age of fourteen years shall be employed to in any hazardous employment.
4. **Right to Freedom of Religion**- India is a secular country. Every citizen of India has the freedom to profess, practice and propagate the religion of his or her liking. All religion and sect have the right to establish and maintain their institutions for religious and charitable purposes. No person shall be compelled to pay any tax, the proceeds of which are specifically used in payment of expenses they incurred on the promotion or maintenance of any particular religion or religious sect. No religious instruction shall be provided in any educational institution wholly maintained out of State funds. No person will be forced to take part in any kind of religious education. Indian State has no religion of its own and there can be no discrimination on the basis of religion.
5. **Cultural and Educational Rights**- Under this provision people belonging to all cultural groups have the right to preserve and practice their language script and culture. Any minority group having a distinct language, script or culture of





its own shall have the right to conserve the same. All Minorities, whether based on religion or language, have the right to establish and administer educational institutions of their choice.

6. **Right to Constitutional Remedies** - Dr. Bheem Rao Ambedkar called this right as a Heart and Soul of the constitution. According to him, declaration of Fundamental of Rights for citizen is useless, if we cannot provide them the effective means of enforce.

This right is means of imposing other fundamental rights. The Supreme and High Courts are empowered to safeguard and restore the Fundamental Rights. Citizens can approach to court to seek enforcement or protection against infringement, of their fundamental rights. Under special circumstances like war or emergency, these rights may be suspended temporarily.



**Activity:** Prepare a colourful chart of Fundamental Rights and demonstrate in the classroom. Divide the class in different groups and discuss on rights with the help of teacher.

### Our Fundamental Duties

Rights and duties are complement to each other. When we talk or demand of rights than we must also respect our duties first. In the absence of duties, our rights are null and void like. Forest, river, water, etc are our natural resources of society, we must protect them. Like this, education is the fundamental right of every child so to get this, it is the duty of every parents or guardian to sent their children to school.

There are 11 Fundamental duties of the citizens are mentioned in Constitution which are expected to discharge. They are:-

1. The citizens of India are expected to be abide by the Constitution and respect all its ideals, institutions, National Flag and National Anthem.
2. The noble ideals that inspired our freedom struggle have to be cherished and followed.
3. The sovereignty, unity and integrity of India to be upheld and protected.
4. Citizens should be ready to defend and render national service towards India.
5. The spirits of common brotherhood and harmony have to be promoted by all the citizens wherein they need to transcend all forms of diversities pertaining to religion, language region and class. All the practices that are derogatory to the dignity of women have to be renounced.
6. Understand the importance of our rich, varied and composite culture and one needs to preserve it.
7. Natural environment including the forests, lakes, rivers and wildlife are



expected to be preserved by the citizens and to have compassion for living creatures.

8. Citizens are expected to develop within themselves humanism, scientific temperament, and spirits of inquiry and reform.
9. Public property is expected to be safeguarded and keep oneself away from violence.
10. People are expected to strive for the excellence of all the individuals and collective activities to help in the development of the country.
11. All parents, guardians and custodians to provide opportunities for education to his child, or as the case may be, ward between the age of six and fourteen years.

The Constitution of India guarantees some rights to its citizens. Besides this, the Indian Constitution also enlists certain core duties that every citizen is expected to perform to become a responsible citizen.

### Activity:

Identify your duties towards family and School and list them separately.

### Glossary

<b>Rights</b>	:	These are the basic needs which are legally and morally essential for the development of the personality.
<b>Tax</b>	:	Compulsorily levy imposed by the Government
<b>Equality</b>	:	Impartiality
<b>Exploitation:</b>		Misuse; Forced Labour for benefit of self

### Exercise

1. Choose the correct option-
  - (i) Under this right, one can approach to court of their rights are fringed?
    - (a) Right to Equality
    - (b) Right against Exploitation
    - (c) Right to Freedom
    - (d) Right to Constitutional remedies ( )
  - (ii) Children below the age of fourteen years cannot be deployed in hazardous jobs, it is related to-
    - (a) Right to Freedom
    - (b) Right against Exploitation
    - (c) Right to Constitutional remedies
    - (d) Right to Equality ( )
2. Free and compulsory Education is related to which right?
3. Under which right Child Labour and Forced Labour has been banned?
4. What is the relation between Right and Duties?
5. Explain the 'Right to Equality'.
6. Write in detail about any five Fundamental Rights mentioned in Constitution of India.
7. Describe the Right to Constitutional remedies.