

UNIT - II

Lesson 4

FUNDAMENTAL RIGHTS, DUTIES AND DIRECTIVE PRINCIPLES OF STATE POLICY

Learning Objectives

1. Pupil understands the importance of Fundamental Rights.
2. Pupil learns about the Fundamental Rights.
3. Pupil knows the fundamental duties of the citizens.
4. Pupil understands the Directive Principles of State policy.
5. Pupil learns about the differences between the Fundamental Rights and Directive Principles of State Policy.

The Constitution of the Republic of India is a set of laws laid down to govern our Nation. Every Citizen has certain Rights which are guaranteed by our Constitution. They are called **Fundamental Rights**. These Fundamental Rights enable the people to live freely and happily in a Democratic set up. They are the natural rights. They are essential for good life. They are as follows :

1. The Right to Equality (Articles 14 to 18) : All men are born equal and therefore they should be treated equally. Our Constitution guarantees the Right to equality for all citizens. In India, the rule of law is followed. All Citizens are equal before law. There is no discrimination of any Citizen on the basis of caste, religion, sex or place of birth. No one can be discriminated to have access to shops, public hotels, and places of entertainment etc.

Similarly wells, tanks, bathing ghats, roads and places of public resorts under the Government's control are thrown open equally to all.

Equality of opportunity is guaranteed to all in matters of public employment. However, there are certain laws, which protect the interests of certain weaker sections of the society. For example, the Socially and Economically Backward Classes, the Scheduled Castes and Scheduled Tribes are given reservation in employment, School and College admissions, etc.

Article 17 of the constitution deals with the Abolition of Untouchability. It forbids untouchability and declares its practice by anybody as a punishable offence.

2. Right to Freedom : Freedom of the individual is the essence of Democracy. Therefore our Constitution guarantees every citizen the right to freedom. According to this all have freedom of thought. All citizens have equal rights to freedom of speech and expression. They can assemble peacefully and without arms. They can form associations or unions. They can move freely to any part of India. They can live in any part of India. They can practice any trade or occupation. No body can be punished except for the violation of law. Every individual's life and personal liberty is protected. The constitution lays certain norms for arrest and custody. Every individual's human right is safeguarded in the Constitution.

But all these freedoms are not without any restrictions. One should exercise his freedom, in such a way as not to affect the freedom of the others.

Know from your teacher how one can be arrested and how long one can be kept in custody.

3. Right against Exploitation : No individual can be forced or compelled to do work without wages. Women and children should not be exploited. Children should not be employed. They should not be engaged in dangerous works. Children below 14 years shall not be employed to work in any factory or mine or in any dangerous works.

4. Right to Freedom of Religion : The Constitution guarantees religious freedom to all citizens of India. All religions are treated alike. Freedom is given to all religious bodies to manage their affairs. The Government does not interfere in the religious practice of the people except to maintain public order.

5. Cultural and Educational Rights : India is a land of many languages, scripts and cultures. There are many minority groups. They

have the right to conserve their culture. They have the right to establish and administer educational institutions of their choice. The Constitution provides protection for the cultural and educational rights of all groups of people in India.

6. Right to Constitutional Remedies : The Right to Constitutional Remedies enables the citizens to go to the Supreme Court directly when there is any violation of the Fundamental Rights.

Fundamental Duties: According to the 42nd Amendment passed in 1976 a set of Ten Fundamental Duties of citizens was included in the Constitution of India. They are :1. To abide by the Constitution and respect the ideals and Institutions.2. To respect National Flag and National Anthem, 2. To realise and follow the essential ideals of Non-violence, Democracy and Secularism, 4. It is the duty of every citizen to preserve the rich heritage of our Culture, 5. To protect the Sovereignty, Unity and Integrity of our Nation, 6. To safeguard public property, 7. To defend our Country even at the cost of our life, 8. To protect Natural Resources, 9. To avoid Dowry, Gambling and other Social evils. 10. To strive towards excellence in their respective spheres of activity.

Directive Principles of State Policy : Next to Fundamental rights the Directive Principles of State Policy are given in the Constitution. Our Constitution makers realised the need for improving the condition of the poor, illiterate, the socially and educationally backward masses. Part IV of the Constitution explains the Directive Principles of State Policy. These **principles are not enforceable by any court**. But they are fundamental for the governance of the country. The Government is duty bound to apply these principles while making laws. They aim at promoting the **Social Welfare** of the people.

The Directive Principles of State Policy direct the Government to (1) secure all its citizens an adequate means of livelihood, (2) make all material resources beneficial to the common good, (3) prevent concentration of wealth, (4) ensure both men and women get equal pay for equal work, (5) prevent child labour, (6) make provision for free legal aid to the poor, (7) organise village panchayats, (8) secure the right to work, education and public assistance to the unemployed, aged, sick and disabled, (9) provide maternity relief to working women, (10) promote cottage industries, (11) secure uniform civil code, (12) **provide free and compulsory education for children of 14 years of**

age, (13) promote the education and economic condition of the scheduled caste, scheduled tribes and other weaker sections, (14) raise the standard of living and improve public health, (15) organise agriculture and animal husbandry, (16) protect and improve the environment, (17) safeguard forests and wildlife, (18) protect monuments of historical interest, (19) separate judiciary from executive and (20) promote international peace and security.

Differences between Fundamental Rights and Directive Principles of State Policy

Fundamental Rights	Directive Principles
1. Even the Government cannot take away or abridge these rights.	These are mere instructions to the Government.
2. These are enforceable in law courts.	These are not enforceable in any court.
3. The Government cannot take policy decisions on these rights	The Government has powers to make policy decisions on these principles
4. These rights strengthen political democracy	The implementation of these principles ensures social and economic democracy.
5. These are natural rights	These lead to protect human rights.

Learning Outcome

1. Pupil will be able to list out the Fundamental Rights guaranteed in our Constitution.
2. Pupil will be able to explain the importance of Fundamental Rights.
3. Pupil will be able to describe the fundamental duties.
4. Pupil will be able to explain what is meant by Directive Principles of State Policy.
5. Pupil will be able to point out the differences between Fundamental Rights and Directive Principles of State Policy.

SELF-EVALUATION

I. Choose the Correct Answer

1. Fundamental Rights help the people to live
 - a) Without freedom
 - b) Get benefits
 - c) With prosperity
 - d) Freely and happily
2. Fundamental Rights are
 - a) enforceable by courts of law
 - b) not enforceable by the courts of law c) Instructions
 - d) mere laws.
3. Untouchability has been abolished by
 - a) Articles 14
 - b) Articles 13
 - c) Article 17
 - d) Article 18
4. Right against exploitation is
 - a) A fundamental right
 - b) Directive Principle
 - c) Order of the Court
 - d) State Law

II. Fill in the Blanks

1. Untouchability has been declared as _____ offence.
2. Rights to express one's thought is called freedom of _____
3. Children below 14 years should not be _____ in dangerous works.
4. Under freedom of religion the Government does not interfere in the _____ practice of the people.

III. Match the Following

- | | | |
|---|---|---------------------------------|
| 1. Equality | – | Directive principles |
| 2. Protection of minorities | – | Not enforced by law |
| 3. Free and compulsory education for children | – | Rule of law |
| 4. Fundamental rights | – | Cultural and educational rights |
| 5. Directive Principles | – | Enforced by law |

IV. Answer Briefly

1. What is meant by Fundamental Rights?
2. Write down one or two Fundamental Rights guaranteed in our Constitution?
3. What Right enables you to express your thoughts freely?
4. What Right prevents the employment of children below 14 years of age in dangerous works?
5. List out a few fundamental duties.
6. Are the Directive Principles of State Policy enforceable by the courts of law?

IV. Answer in Detail

1. Explain the Fundamental Rights guaranteed by your Constitution.
2. Write down the duties of a citizen.
3. Explain the Directive Principles of State Policy.
4. Mention the differences between Fundamental Rights and Directive Principles of State Policy.

Teaching Learning Activities

Prepare a chart containing Fundamental Rights and display it in the class.

Prepare a chart containing the Directive Principles of State Policy and display it in the class.