

9 What are the fundamental rights provided in the Indian?

Ans.
Social responsibility of the right rule of interaction between people. They place constraints and obligations upon the actions of the State and individuals or groups. For example, if one has a right defined as claim of an individual that are essential for the development of his/her own self and that are recognized by society or state. Rights are often considered fundamental to civilization being regarded as established pillars of society and culture. Rights have real meaning of individual perform duties.

Rights are claims that are essential and development of individuals. In that sense there will a long list of rights. whereas all these are recognized by the society. Some of the most important rights are recognized by the state and enshrined in the constitution. Such rights are called fundamental rights. These rights are fundamental because of two reasons. First, these are mentioned in the constitution which guarantees them, and the second, these are justiciable. i.e. enforceable through courts. Being justiciable means that in case of their violation, the individual can approach courts for their protection. If a government enacts a law that restrict any of these rights, it will be declared invalid by courts. Such rights are provided in Part III of the Indian Constitution. The Constitution guarantees fundamental rights to Indian citizen as follows: —

(A) Rights to Equality: — Right to equality is very important in a society like ours. The purpose of this right is to establish the rule of law where all the citizens should be treated equal before the law. It has five provisions (Article 14-18) to provide for equality before law or for the protection of law to all the persons in India and also to prohibit discrimination on the grounds of religion, race, caste, sex or place of birth.

(2.)

(B.)

Right to Freedom :- You will agree that the freedom is the most cherished desire of every living being. Human being definitely want and need freedom. You also want to have freedom. The constitution of India provides Right to freedom to all its citizens. This right is stipulated under Article 19-22. The following are the categories of right to freedom for reasonable restrictions -

Freedom	Reasonable Restrictions
1. Freedom of Speech and expression	1/ Restriction on the movement of a person group to prevent spread of violence.
2. Freedom to form Associations and unions	2/ Not allowed to run trades like gambling, prostitution, selling of narcotic drugs.
3. Freedom to assemble peacefully and without arms.	3/ Not allowed to reside too close to aerodrome
4. Freedom to move freely throughout the territory of India	4/ Restriction on the use of language that may instigate people for communal violence

(C)

Right against Exploitation :- Have you ever thought how many ways

exploitations take place in our society? You might have seen a small child working in a tea shop or a poor and illiterate person being forced to work in the household of a rich person. Traditionally, the Indian society has been hierarchal that has encouraged exploitation in many forms. The citizen have been guaranteed the right against exploitation through Articles 23-24 of the Constitution. These are two provisions -

- (a.) Prohibition of traffic in human beings and forced labour.
- (b.) Prohibition of employment of children in factories.

(D.)

Right to freedom of Religion → one of the objectives declared in the Preamble is "to secure to all its citizens liberty of belief, faith and worship."

P.T.O.

(3.)

Since India is a multi-religion country, where Hindus, Muslims, Sikhs, Christians and many other communities live together, the constitution declares India as a 'secular state'. It means that Indian state has no religion of its own. But it follows full freedom to all the citizens to have faith in any religion and to worship. The right to freedom the constitution makes the following provisions under Articles 25-28.

- (a) Freedom of conscience and free profession, practice and propagation of religion.
- (b) Freedom to manage religious affairs.
- (c) Freedom as to the payment of taxes for promotion of any particular religion.
- (d) Freedom as to attendance at ~~the~~ religious instruction or religious worship certain educational institutions.

(E.) Cultural and Educational Rights: — India is largest democracy in the world having diversity of culture, scripts, languages and religions. As we know the democracy is a rule of the majority. But the minorities are also equally important for its successful working. Therefore, protection of language, culture and religion of the minorities becomes essential so that minorities may not feel neglected or ~~fundament~~ undermined under the impact of the majority rule. Cultural and educational right has been included in the ~~chapter~~ chapter on fundamental rights Articles 29-30.

- (a.) Protection of interests of minorities
- (b.) Right of minorities to establish and administer educational institutions.

(F.) Right to education (RTE): — The right of education is added by introducing a new article 21A in the chapter on fundamental rights in 2002 by the 86th Constitutional Amendment. It was a long standing demand so that all children in the age group of 6-14 years (and their parents) can claim compulsory and free education as a fundamental right.