

THE FUNDAMENTAL RIGHTS

The fundamental rights of all the citizens of India are given in the Constitution of India.

These fundamental rights are mentioned in part three of the Constitution of India.

The Constitution of India not only provides fundamental rights to its citizens but also mentions the limitations of those rights.

The six Fundamental Rights given in the Constitution of India are listed below:

Right to Equality

Right to Freedom

Right against Exploitation

Right to Freedom of Religion

Right to Constitutional Remedies

Cultural and Educational Rights

Articles of the Constitution of India
Covering Various Fundamental Rights

Articles 14-18 cover the Right to
Equality

Articles 19-22 cover the Right to
Freedom

Articles 23-24 cover the Right against
Exploitation

Articles 25-28 cover the Right to Freedom of Religion

Articles 29-30 cover Cultural and Educational Rights

Article 32 covers the Right to Constitutional Remedies.

Right to Equality

As per the Constitution of India, the Right to Equality provides the following to the citizens of India:

Abolition of untouchability

Equal opportunities when it comes to public employment.

Every citizen will be equal in front of the law.

Every citizen of India will get equal protection of laws.

All the citizens will have equal access to bathing ghats, hotels, shops, roads, wells, etc.

Discrimination of citizens is completely prohibited on the grounds of place of birth, sex, caste, race, religion, etc.

One of the biggest examples of inequality was untouchability, which was practiced in India.

The Constitution of India has completely abolished it thereby bringing equality among all citizens.

No person will be given any kind of title, except for people who have excelled in the fields of military and academics.

The preamble of the Indian Constitution says that every citizen will have equality in opportunity and status.

Right to Freedom of Religion

As per the Constitution of India, the Right to Freedom of Religion provides the following rights:

Citizens of India will have the freedom to attend religious instruction or worship in certain educational institutions.

People have the freedom to pay taxes for the promotion of any religion of their choice.

Citizens are given the right to manage the religious affairs

Freedom of conscience and free profession, practice and propagation of a particular religion.

Right to Freedom

As per the fundamental rights of India mentioned in the Constitution of India, the Right to Freedom provides the following rights:

Right to life and liberty.

Right to live and settle in any part of India.

Right to form unions or associations.

Right to carry out trade or business, right to work in any occupation, and right to work in any profession.

Right to assemble peacefully.

Right to freedom of speech and expression.

The Right to Freedom and the Right to Equality are the two most essential rights in a democracy.

When the Constitution of India mentions liberty, it means freedom of action, expression, and thoughts.

However, it must be noted that such freedom comes with its limitations. Every citizen can enjoy the

above-mentioned freedom without endangering the law and order situation, and without threatening the freedom of other people.

Cultural and Educational Rights

As per the fundamental rights of India mentioned in the Constitution of India, the Cultural and Educational Rights provide the following rights to the citizens of India:

Minorities have the right to establish educational institutions.

The culture and language of the minorities will be protected.

Right against Exploitation

As per the fundamental rights of India mentioned in the Constitution of India, the Right against Exploitation provides the following rights to the citizens of India:

Children are prohibited from employment in hazardous jobs.

Forced labour is prohibited.

Trafficking of human beings is prohibited by the Constitution of India.

Right to Constitutional Remedies

As per the fundamentals rights of India mentioned in the Constitution of India, the

Right to Constitutional Remedies provides the following rights to the citizens of India:

Citizens have the right to ask the courts to enforce their fundamental rights by requesting the courts to issue writs, orders, and directions to the Government.

Right to Property – Earlier it was a Fundamental Right

There was an amendment to the Constitution of India in 1978. It was the 44th amendment of the Constitution of India which declared that the Right to Property will no longer be a Fundamental Right.

Article 31 and Article 19(1)(f) were completely removed from Part III –

Fundamental Rights of the Constitution with the 44th Amendment.

Fundamental Rights of India – Interesting Facts

- As per Articles 226, High Courts can issue writs for enforcement of Fundamental Rights.
- Fundamental Rights are enforceable through the Supreme Court and High Courts. As per Article 32, the Supreme Court can enforce Fundamental Rights.
- Not all the citizens of India can enjoy Fundamental Rights absolutely. An example would be personnel belonging to the Indian Military.
- Fundamental rights can be suspended during a national emergency. But, the

rights guaranteed under Articles 20 and 21 cannot be suspended.

- Fundamental Rights were borrowed from the Constitution of the United States of America.
- Some of the Fundamental Rights are available exclusively to the Citizens of India only, whereas some of the Fundamental Rights are extended to foreigners as well.
- Fundamental Rights are amendable on the condition that the changes are not contrary to the basic structure of the constitution.
- Some of the Fundamental Rights are available exclusively to the Citizens of India, whereas some of the Fundamental Rights are extended to foreigners as well.

- Fundamental Rights are political and social in character. There is no scope for guaranteed economic rights since it doesn't mention anything about a guaranteed job.

- **Questions**

Q1.

What are the 6 fundamental rights?

The six fundamental rights are the Right to Equality, Right to Freedom, Right against Exploitation, Right to Freedom of Religion, Right to constitutional remedies, and Cultural and Educational Rights. There was

an amendment to the Constitution of India in 1978. It was the 44th amendment of the Constitution of India which declared that the Right to Property will no longer be a Fundamental Right. Article 31 and Article 19(1)(f) were completely removed from Part III – Fundamental Rights of the Constitution with the help of the 44th Amendment.

Q2

What is the fundamental right? Explain.

The Rights of the people which are listed in the Constitution and which need special

protection are known as the fundamental rights. The word 'fundamental' is used because these rights are extremely important, the Constitution lists these rights separately, and the Constitution has made special provisions to protect them.

Q3

What is the difference between Fundamental Rights and Directive Principles of State Policy?

Fundamental Rights are human rights conferred on the citizens of India. Directive Principles of State Policies are ideals which

are meant to be kept in mind by the state when it formulates policies and enacts laws.

Q4

What is the difference between Fundamental Rights and Fundamental Duties?

The Fundamental Duties are defined as the moral obligations of all citizens to help promote a spirit of patriotism and to uphold the unity of India..

Q5

Are the Fundamental Rights absolute?

It must be noted that the fundamental rights are not unlimited or absolute. Reasonable restrictions can be put on fundamental rights by the Government. For example, in the name of fundamental rights, a citizen cannot endanger the sovereignty of the nation or work against the unity and integrity of the nation