


Class 3

↗ course	 <u>Constitution of India, Cyber Law and Professional Ethics</u>
⚙ mastery	none
⚙ progress	not started

Fundamental Duties

- 11 fundamental duties; 10 originally, 11th added in 2002 with 86th Amendment
- Rights originally added with 42nd Amendment Act, 1977; inspired by USSR (Russia)
- Every right has a corresponding duty
- Unlike fundamental rights, duties are not legally enforceable

List of Duties (no need to memorise)

- To abide by constitution and respect its ideal and institution, the National flag and National Anthem.
- To cherish and follow the noble ideals which inspired our national struggle for freedom.
- To uphold and protect the sovereignty, unity and integrity of India.
- To defend the country and render national service when called upon to do so.
- To promote harmony and spirit of common brotherhood amongst all the people of India and to renounce practices derogatory to the dignity of women.
- To value and preserve the bright heritage of our composite culture

- To protect and improve the natural environment including forests, lakes, rivers and wildlife and to have compassion for living creatures.
- To develop the scientific temper, humanism and the spirit of inquiry and reform.
- To safeguard public property and to abjure violence.
- To strive towards excellence in all spheres of individual and collective activity so that the nation constantly rises of higher Endeavour and achievement.

Directive Principles of State Policy

- Guidelines for the State as well as the citizens for achieving welfare state as described in the Directive Principles (DPSP)
- Borrowed from Spanish Constitution (Ireland)
- Usually classified into three: socialistic, Gandhian, liberal-intellectual

Socialistic: Equal distribution of wealth and opportunities

Article 38: Promote the welfare of the people (Justice- Social, Economic and Political)

Article 39: Secure citizens: (i) Livelihood for all citizens (ii) Equitable distribution of material resources (iii) Prevention of concentration of wealth and means of production (iv) Equal pay for equal work for men and women (v) Preservation of the health and strength of workers and children against forcible abuse and (vi) Opportunities for the healthy development of children

Article 39A: Promote equal justice and free legal aid to the poor.

Article 41: In cases of unemployment, old age, sickness and disablement, secure citizens: (i) Right to work (ii) Right to Education and (iii) Right to Public Assistance.

Article 42: Make provision for just and humane conditions of work and maternity relief.

Article 43: Secure a living wage, a decent standard of living and social and cultural opportunities for all workers

Article 43A: Take steps to secure the participation of workers in the management of industries

Article 47: Raise the level of nutrition and the standard of living of people and to improve public health

Gandhian: “The soul of India is rooted in its villages.”

Article 40: Organize village panchayats and endow them with necessary powers and authority to enable them to function as units of self-government

Article 43: Promote cottage industries on an individual or co-operation basis in rural areas

Article 43B: Promote voluntary formation, autonomous functioning, democratic control and professional management of co-operative societies

Article 46: Promote the educational and economic interests of SCs, STs, and other weaker sections of the society and to protect them from social injustice and exploitation

Article 47: Prohibit the consumption of intoxicating drinks and drugs which are injurious to health

Article 48: Prohibit the slaughter of cows, calves and other milch and draught cattle and to improve their breeds

Liberal-Intellectual: Based on the belief that each individual has certain inherent rights and liberties that must be protected

Article 44: Secure for all citizens a uniform civil code throughout the country

Article 45: Provide early childhood care and education for all children until they complete the age of six years

Article 48: Organize agriculture and animal husbandry on modern and scientific lines

Article 48A: To protect and improve the environment and to safeguard forests and wildlife

Article 49: Protect monuments, places and objects of artistic or historic interest which are declared to be of national importance

Article 50: Separate the judiciary from the executive in the public services of the State

Article 51: Promote international peace and security and maintain just and honorable relations between nations

Criticism of DPSP

- Like fundamental duties, they have no legal force; there is no provision to enforce them
- They are illogically arranged
- Conservative in nature
- May cause constitutional conflict between the Centre and State