

## Article (32: Right to Constitutional Remedies. -35)

A: 32: Right to move the SC for the enforcement of fundamental rights including writs. [Soul of Constitution].

Types of Writs (Writs means Partial Order).

- i) Habeas Corpus - 'To have the body of'  
Eg; Suspect must be presented in court in 24hrs.  
Exception: Preventive Detention.
- ii) Mandamus: 'We command'
- iii) Quo warrant: 'By what authority or warrant.'
- iv). Prohibition: 'To forbid' ~~verdict~~ proceedings in lower court.
- v). Certiorari: 'To be certified' verdict of lower court.

Article 32 and Article 226 are similar.

A: 33: Empowers Parliament to restrict or abrogate the fundamental rights of the members Armed Forces etc.  
Eg, RAW, IB, NIA, CBI, CID, Police etc.  
Rights of Media had been restricted in 2008.

A: 34: Martial Law and fundamental Rights.  
Martial Law will be enforced where army goes.  
Eg, Cantonment area, BPO.

A: 35: Effecting certain fundamental Rights, by SC.  
A: 35A: Houses for J&K region.

<i>Article No.</i>	<i>Subject Matter</i>
<b>General</b>	
12.	Definition of State
13.	Laws inconsistent with or in derogation of the Fundamental Rights
<b>Right to Equality</b>	
14.	Equality before law
15.	Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth
16.	Equality of opportunity in matters of public employment
17.	Abolition of untouchability
18.	Abolition of titles
<b>Right to Freedom</b>	
19.	Protection of certain rights regarding freedom of speech, etc.
20.	Protection in respect of conviction for offences
21.	Protection of life and personal liberty
21A.	Right to education
22.	Protection against arrest and detention in certain cases

<i>Article No.</i>	<i>Subject Matter</i>
<b>Right against Exploitation</b>	
23.	Prohibition of traffic in human beings and forced labour
24.	Prohibition of employment of children in factories, etc.
<b>Right to Freedom of Religion</b>	
25.	Freedom of conscience and free profession, practice and propagation of religion
26.	Freedom to manage religious affairs
27.	Freedom as to payment of taxes for promotion of any particular religion
28.	Freedom as to attendance at religious instruction or religious worship in certain educational institutions.
<b>Cultural and Educational Rights</b>	
29.	Protection of interests of minorities
30.	Right of minorities to establish and administer educational institutions
31.	Compulsory acquisition of property—(Repealed)
<b>Saving of Certain Laws</b>	
31A.	Saving of laws providing for acquisition of estates, etc.
31B.	Validation of certain Acts and Regulations
31C.	Saving of laws giving effect to certain directive principles
31D.	Saving of laws in respect of anti-national activities (Repealed)
<b>Right to Constitutional Remedies</b>	
32.	Remedies for enforcement of rights conferred by this part
32A.	Constitutional validity of State laws not to be considered in proceedings under Article 32—(Repealed)
33.	Power of Parliament to modify the rights conferred by this part in their application to forces, etc.
34.	Restriction on rights conferred by this part while martial law is in force in any area
35.	Legislation to give effect to the provisions of this part