

Part 3. (Article 12-35) : Fundamental Rights.

- Primary rights
- Only applicable on people.
- Termed as Magna Carta : It's a charter of rights.
- Types of rights :
 - i) Fundamental rights : Such rights are guaranteed and protected but can be restricted.
 - ii) Legal / Statutory rights : Such rights which can be abolished by government.
- Fundamental rights are natural, necessary to live. No one can abolish such rights.
- Fundamental rights can be :
 - i) Restricted / Suspended : In the hands of President.
Example : at the time of war.
 - ii) Abolished / banned : In the hands of Parliament.
Example : The Talak provision.
 - iii) Protected by : Supreme / High Court (Judiciary)
 - iv) Enforceable : Means forcefully enacted.

Article 12 : • Definition of Fundamental rights.

- States cannot enact any law that harms such rights.
Here, State means ^{or} Central / State / Local govt.
any other authority, example: ONGC, LIC etc.

Article 13 : • Fundamental rights can be restricted;

- i) Denogation : Disrespect.
- ii) Inconsistent : Irrelevant.

All laws will go hand by hand until/unless it's inconsistent to others.

Example : Personal Law : Talak & Biddat is abolished.

Article 14: Equality Before Law. \Rightarrow U.K.

Equal protection of laws. \Rightarrow U.S.A.



Classification and Differentiations can be there.

Article 15: Prohibition of discrimination:

Prohibitions on the basis of i) Religion.

~~caste~~

ii) Caste

iii) Complexion

iv) Sex

v) Place of birth.

However; discrimination can be done in a positive way.

Example: Heavy duty place, Army etc.

Reservation: To push ahead socially and educationally backward citizens.

Article 16: Equality of opportunity in public employment.

On the basis of i) Caste.

ii) Sex.

iii) place.

Article 17: Abolition of Untouchability.

Except: On the basis of i) Disease only.

Article 18: Abolition of Titles

Except: On the basis of i) National Award

ii) Academic

iii) Military.

But 'National Award' cannot be used as ~~Someone~~.