Before we dive into each of the fundamental rights and what they mean, it is important to know the importance of these laws and the reasonable restrictions imposed on them.

This section will deal with what fundamental rights are all about.

**Q. How many fundamental rights are there?**

Articles 13 to 35 of the Indian constitution deal with fundamental rights. They can broadly be divided into the following fundamental rights:

- Right to Equality (Articles 14 - 18)

- Right to Freedom (Articles 19 - 21)

- Right to education (Article 21A)

- Right against exploitation (Article 23 - 24)

- Right to freedom of religion (Article 25 - 28)

- Cultural and Educational Rights (Article 29 - 30)

- Right to Constitutional remedies (Articles 32 - 35)

**Q. Are these fundamental rights absolute and inviolable?**

No. These rights are neither absolute nor inviolable. They are not absolute because the State can, through laws made from time to time, impose “reasonable restrictions” on these fundamental rights so that exercise of one’s rights does not impinge on another’s. While the constitution has placed enough safeguards for protecting these rights, there are some conditions under which the government can “suspend” even fundamental rights.

**Q. What are “reasonable restrictions”?**

It is not considered a violation of one’s fundamental rights if the State passes laws that impose reasonable restrictions on fundamental rights for the following reasons:

- It is in the interest of India’s sovereignty, integrity, security and friendly relations with foreign states

- Maintenance of public order, decency or morality

- In relation to contempt of court

- Defamation or incitement to offence

**Q. Under what conditions can fundamental rights be “suspended”?**

Fundamental rights can be suspended in the following two cases:

- Emergency

- Martial Law

During an emergency, declared by the President when the security or integrity of the nation or any state or other territory is threatened, fundamental rights may be suspended. They would remain suspended as long as the emergency is in force. Only parliament can extend a state of emergency by one year at a time. Emergency can be imposed on the entire nation or only a certain portion of its territory.

While martial law is in force in any part of India, the parliament may pass laws that indemnify a person who is restoring order in that part of India and acting on behalf of the Union or state government. A sentence passed or punishment inflicted upon a person under conditions of martial law may also be validated by the Parliament even if it is in violation of fundamental rights.

**Q. In that case, what stops the State from diluting our fundamental rights?**

An independent judiciary is the answer to such concerns. Known as “judicial review”, high courts and the Supreme Court can take up any law passed by Parliament for review and declare it void if it is found violating fundamental rights.

Article 13 of the Constitution further states that any law which is “inconsistent with”, “abridges” or takes away these fundamental rights is void.

Fundamental rights can only be suspended when the government imposes an Emergency or martial law. Even in such cases, such extreme provisions can be extended by only one year at a time.

**Q. Who is “the State” referred to in the above question?**

The “State” is the executive, judiciary and legislative bodies of the union (central) and state governments. The actions of any of these bodies can thus be challenged if it violates our fundamental rights.

**Q. Can a citizen waive his/her fundamental rights?**

No. A citizen cannot waive his/her fundamental rights. They are available to every citizen as a matter of natural right.

--Ends