

UNIT-II : RIGHTS AND DUTIES :

1. Fundamental Rights and fundamental duties :

part II of the Indian constitution guarantees six fundamental rights to all the citizens.

- 1) Right to Equality
- 2) Right to freedom
- 3) Right against Exploitation
- 4) Right to freedom of religion
- 5) cultural and Educational right
- 6) Right to constitutional remedies.

Fundamental duties :

* The fundamental duties were added during the operation of internal emergency by the 42nd Amendment Act of 1976.

* The 86th Amendment Act of 2002 added one more fundamental duties.

The fundamental duties were:

* Abide the constitution and respect National flag and National Anthem

* Follow ideals of the freedom Struggle.

* protect sovereignty & integrity of India.

* Defend the country and render national services when called upon.

* Spirit of common brotherhood.

* Preserve composite culture.

* Preserve natural environment

* Develop scientific temper

* Safeguard public property

* Strive for excellence.

* Duty for all parents to send their children in the age group 6-14 years to school.

DIRECTIVE PRINCIPLES OF STATE POLICY:

* The directive principles of State policy are enumerated in part IV of the constitution from Article 36 to 51.

* The idea of DPSP was borrowed from Irish constitution of 1937.

* The directive principles along with the fundamental rights contain the philosophy of the constitution and is the soul of the constitution

Classification of DPSP:

↳ Socialist principles

↳ Gandhian principles

↳ Liberal-Intellectual principle

CONSTITUTIONAL AMENDMENT:

* The constitution of India also provides for its amendment in order to adjust itself to the changing conditions and needs.

* Article 368 in part xx of the constitution deals with the powers of the parliament to amend the constitution and its procedure.

Types of Amendment:

* Article 368 provides for two types of amendments, that is by a special majority of parliament and also through the ratification of half of the States by a special majority.

* But some other articles provided for the amendment of certain provisions of the constitution by a simple majority of parliament, that is a majority of the members each house present and voting.

* Therefore the constitution can be amended in three ways.

* Amendment by simple majority of the parliament,

* Amendment by special majority of the parliament,

* Amendment by special majority of the parliament & ratification half of state legis...