

NON MAJOR ELECTIVE PAPER I

INDIAN POLITICS FOR CIVIL SERVICES EXAM

Paper Name: Indian Politics For Civil Services Exam

Paper code : 18BPO5EL

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UNIT 1

Preambles

Introduction statement in a democracy that explains the document philosophy and objectives in a constitution. It presents the intention and the core values of the principles of the nation.

WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a SOVEREIGN

SOCIALIST SECULAR DEMOCRATIC REPUBLIC and to secure to all its citizens:

JUSTICE, social, economic and political; LIBERTY of thought, expression, belief, faith and worship;

EQUALITY of status and of opportunity;

and to promote among them all FRATERNITY assuring the dignity of the individual and the unity and

integrity of the Nation;

IN OUR CONSTITUENT ASSEMBLY this twenty-sixth day of November, 1949, do HEREBY ADOPT,

ENACT AND GIVE TO OURSELVES THIS CONSTITUTION

Fundamental rights (article 12 to 35)

Fundamental rights are those rights which are essential for intellectual, moral and spiritual development of citizens of India. As these rights are fundamental or essential for existence and all-round development of individuals, they are called 'Fundamental rights'. These are enshrined in Part III (Articles 12 to 35) of the Constitution of India.

These include individual rights common to most, such as equality before the law, freedom of speech and freedom of expression, religious and cultural freedom, Freedom of assembly (peaceful assembly), freedom of religion (freedom to practice religion), right to constitutional remedies[1] for the protection of civil rights

by means of writs such as Habeas Corpus, Mandamus, Writ of Prohibition, Certiorari and Quo Warranto.

Fundamental rights apply universally to all citizens, irrespective of race, birthplace, religion, caste, sexual orientation, gender or gender identity. The Indian Penal Code, Code of Criminal Procedure and other laws prescribe punishments for the violation of these rights, subject to the discretion of the judiciary. Though the rights

conferred by the constitution other than fundamental rights are also valid rights protected by the judiciary, in case of fundamental rights violations, the Supreme Court of India can be approached directly for ultimate justice as per Article 32. The Rights have their origins in many sources, including England's Bill of Rights, the United States Bill of Rights and France's Declaration of the Rights of Man. There are six fundamental rights recognised by the Indian constitution

1. Right to equality (Articles. 14-18)
2. Right to Freedom (Articles. 19-22)
3. Right Against Exploitation (Articles. 23-24)
4. Right to Freedom of Religion (Articles. 25-28)
5. Cultural and Educational Rights (Articles. 29-30), and
6. Right to Constitutional remedies (Articles. 32)

1. The right to equality includes equality before the law, the prohibition of discrimination on grounds of religion, race, caste, sexual orientation, gender or gender identity and/or place of birth, equality of opportunity in matters of employment, the abolition of untouchability and abolition of titles.
2. The right to freedom includes freedom of speech and expression, assembly, association or union or cooperatives, movement, residence, and right to practice any profession or occupation.
3. The right against exploitation prohibits all forms of forced labour, child labour and trafficking of human beings. Children under age of 14 are not allowed to work.
4. The right to freedom of religion includes freedom of conscience and free profession, practice, and propagation of religion, freedom to manage religious

affairs, freedom from certain taxes and freedom from religious instructions in certain educational institutes.

5. The Cultural and educational Rights preserve the right of any section of citizens to conserve their culture, language or script, and right of minorities to establish and administer educational institutions of their choice.
6. The right to constitutional remedies is present for enforcement of fundamental rights.

The right to privacy is an intrinsic part of Article 21 (the Right to Freedom) that protects the life and liberty of the citizens.

The right to privacy is the newest right assured by the Supreme Court of India. It assures the people's data and personal security.

Fundamental rights for Indians have also been aimed at overturning the inequalities of pre-independence social practices. Specifically, they have also been used to abolish untouchability and thus prohibit discrimination on the grounds of religion, race, caste, sex, or place of birth. They also forbid trafficking of human beings and forced labour (a crime). They also protect cultural and educational rights of religious establishments. Right to property was changed from fundamental right to legal right.

Directive principles of the State policy

The Directive Principles of State Policy of India are the guidelines or 15 principles given to the federal institutes governing the State of India, to be kept in citation while framing laws and policies. These provisions, contained in Part IV of the Constitution of India, are not enforceable by any court, but the principles laid down

there in are considered in the governance of the country, making it the duty of the State^[1] to apply these principles in making laws to establish a just society in the country. The principles have been inspired by the Directive Principles given in the

Constitution of Ireland which are related to social justice, economic welfare, foreign policy, and legal and administrative matters.

Directive Principles are classified under the following categories: economic and socialistic, political and administrative, justice and legal, environmental, protection of monuments, peace and security.

Irish nationalist movement, particularly the Irish Home Rule Movement; hence, the Directive Principles of the Indian constitution have been greatly influenced by the Directive Principles of Social Policy.

[2] The idea of such policies "can be traced to the Declaration of the Rights of Man and of the Citizen proclaimed by Revolutionary France and the Declaration of Independence by the American Colonies."^[3] The Indian constitution was also influenced by the United Nations Universal Declaration of Human Rights.

Indians, who were seeking independence from British rule and their own government, were particularly influenced by the independence of Ireland from British rule and the development of the Irish constitution. Also, the Directive Principles of State Policy in the Irish Constitution were looked upon by the people of India as an inspiration for the independent India's government to comprehensively tackle complex social and economic challenges across a vast, diverse nation and population.

In 1928, the Nehru Commission composing of representatives of Indian political parties proposed constitutional reforms for India that apart from calling for dominion status for India and elections under universal suffrage, would guarantee rights deemed fundamental, representation for religious and ethnic minorities, and limit the powers of the government. In 1931, the Indian National Congress (the largest Indian political party of the time) adopted resolutions committing itself to the defence of fundamental civil rights, as well as socio-economic rights such as the minimum wage and the abolition of untouchability and serfdom.

[4] Committing

themselves to socialism.

Fundamental duties

Fundamental duties of the Indian citizen are added under part IV-A of the constitution (Article 51A). To abide by the Constitution and respect its ideals and institutions, the National Flag and the National Anthem; b) To cherish and follow the noble ideals which inspired our national struggle for freedom; c) To uphold and protect the sovereignty, unity and integrity of India; d) To defend the country and render national service when called upon to do so; e) To promote harmony and the spirit of common brotherhood amongst all the people of India

transcending religious, linguistic and regional or sectional diversities; to renounce practices derogatory to the dignity of women; f) To value and preserve the rich heritage of our composite culture; g) To protect and improve the natural environment including forests, lakes, rivers, wildlife and to have compassion for living creatures; h) To develop the scientific temper, humanism and the spirit of inquiry and reform; i) To safeguard public property and to abjure violence; j) To strive towards excellence in all spheres of individual and collective activity so that the nation constantly rises to higher levels of endeavour and achievement; k) Who is a parent or guardian, to provide opportunities for education to his child, or as the case may be, ward between the age of six to fourteen years. The duty was included in the list of fundamental duties by 86th Amendment to the constitution of India in the year 2002