

Background

Background *India under British Rule for 200 years*. Laws mainly favoured British rulers. *1946: Constituent Assembly formed before Independence*. Purpose: Draft the Constitution of Independent India. *Took 3 years to complete*. Constitution considered: *Ethnic, religious, linguistic & cultural diversity* Caste & gender discrimination *Justice & Equality* Dr. B. R. Ambedkar → Chairman of the Drafting Committee.

Fundamental rights

Definition *Basic rights guaranteed by the Constitution*. Have legal sanction. *Enforceable in court of law*. Include Political, Social, Cultural & Economic rights.

Right to freedom

Includes: *Freedom of speech & expression* Peaceful assembly (without arms) *Form associations* Move freely throughout India *Reside & settle anywhere in India* Choose any profession, occupation, trade or business

Restrictions *Can be limited for*: National interest * Security of the State

Responsibility *Do not*: Defame *Spread hatred* Cause harm * Exercise freedom with prudence.

Federal structure of the government

Meaning *Two levels of government*: Central (Union) Government *State Governments* Purpose Division of powers between Centre & States. * Each has separate subjects.

Lists in the Constitution Union List *Subjects of National Importance*. Examples: *Defence* Foreign Affairs *Ports* Railways

State List *Managed by State Governments*. Examples: *Police* Law & Order *Health* Sanitation * Agriculture

Federal structure of the government (cont)

Concurrent List *Both Centre & States can make laws*. Examples: *Education* Forests *Wildlife Protection* Weights & Measures

Local Self-Government *Looks after Cities, Towns & Villages*. Includes: *Municipal Corporations* Municipalities * Gram Panchayats

Right against exploitation

Protects people from exploitation due to: *Poverty* Caste discrimination *Religious discrimination* Prevents: *Forced labour* Child labour *Unhealthy working conditions* Laws protect people from humiliation & exploitation.

Significance of fundamental rights

Foundation of Democracy. Protect moral & material interests. *Safeguard minorities & weaker sections*. Strengthen Secularism. *Promote Social Justice & Social Equality*. Prevent absolute power of the government.

Preamble

Introduction to the Constitution. States the goals & aspirations of India.

State

Means either: Country/Nation * Political unit within a country.

The Directive principles Of state policy

Purpose *Guidelines for government*. Aim: *Welfare* Justice *Development* Created because India lacked sufficient resources after Independence.

Examples *Adequate livelihood* Free legal aid *Public assistance during*: Unemployment *Old age* Sickness * Disability

Important Point *Guide government policies & laws*. Cannot be enforced in a court of law. * Government cannot be sued for not implementing them.

Parliamentary form of the government

Features *Nominal Head of State*. In India → President. *Real Executive Power* → Prime Minister & Council of Ministers. Decisions taken in the President's name, but PM & Council govern. * India is a Parliamentary Democracy.

Three Branches of Government Legislature *Makes laws*. Executive Implements laws. Judiciary *Interprets laws*. Checks Constitutional validity.

Separation of Powers Meaning *Legislature, Executive & Judiciary work independently*. Prevents concentration of power.

Checks & Balances *Each branch checks the others*. Executive → Answerable to Legislature. * Judiciary → Can strike down unconstitutional laws.

Right to equality

Equal treatment before law. *Equal rights & equal opportunities*. Freedom to choose education & profession. *No discrimination based on*: Religion *Race* Sex *Caste* Place of birth * State may give special opportunities to women & disadvantaged groups to reduce social & economic inequalities.

Right to education

RTE Act (2010). *Children aged 6–14 years have the right to*: Free *Compulsory* Elementary education * Education provided in a neighbourhood school.

Can laws alone protect rights?

Problems *Exploitation still continues despite laws*. Rights often violated due to: *Lack of awareness* Fear of retaliation

Solutions *Educate people about their rights*. Spread Constitutional awareness. *Support Awareness campaigns*. NGOs & Social movements help people fight for their rights.



Why India has parliamentary democracy

Parliamentary System *Executive answerable to Legislature*. Prevents excessive concentration of power.

Presidential System *President directly elected*. President is Head of State & Head of Executive. *Executive not answerable to Legislature*. Gives greater power to one individual.

Reason for Choosing Parliamentary System *Constitution makers believed a Presidential System could give too much power to one person*. Therefore, India adopted a Parliamentary Form of Government.

Fundamental duties

Definition *Added by 42nd Constitutional Amendment (1976)*. Duties of every Indian citizen. * Not enforceable by law, but should be followed responsibly.

Duties *Respect the Constitution, National Flag & National Anthem*. Defend the country & render national service when required. *Protect Sovereignty, Unity & Integrity of India*. Protect the Environment: *Forests Lakes Rivers Wildlife* * Safeguard public property.

Right to constitutional remedies

Protects Fundamental Rights. Citizens can approach the Supreme Court if rights are violated. *Supreme Court can issue Writs to: Government Any individual* Ensures restoration of rights. * During War or Emergency, Fundamental Rights may be temporarily suspended.

Right to cultural and educational rights

India is a pluralistic country. *Protects religious, linguistic & cultural diversity*. Citizens have the right to: *Preserve Practise* * Promote their religion, language & culture.

Right to freedom of religion

India is a Secular State. Freedom to: *Profess Practise Follow any religion*. No discrimination based on religion. *Religious groups may establish: Religious institutions Charitable institutions* Protects religious minorities

Important terms

Sovereign → *Independent nation; no external control*. *Socialist* → *Equal access to national resources*. *Secular* → *No religious discrimination; equal treatment of all religions*. *Democratic* → *Government through elected representatives*. *Republic* → *Elected President, not hereditary ruler*. *Justice* → *Reduce social & economic inequalities*. *Liberty* → *Freedom of speech, faith & occupation*. *Equality* → *Equal before law; prohibits discrimination*. * *Fraternity* → *Promotes brotherhood, unity & integrity*

