

## Examrace

# Competitive Exams: Political Science Study Material: Fundamental Duties

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- These are included in the Indian Constitution by the 42<sup>nd</sup> Amendment Act, 1976.
- It is based on the Japanese model.
- 10 duties of the citizens towards the State have been enumerated by inserting Article 51 – A in Part IVA of our Constitution.
- Rights and duties are correlative. These serve as constant reminder to every citizen that, while the Constitution specifically confers on them certain Fundamental Rights, it also requires them to observe certain basic norms of democratic conduct and behaviour.

### Fundamental Duties in Other Countries

- None of the major democracies in the world has Fundamental Duties.
- Only Japan has made some mention of them.
- France has a passing reference only.
- It does not mean that people of these countries behave in an irresponsible manner.
- In all these countries, citizens have a high sense of patriotism as a result of education
- But in socialist countries, there are specific Fundamental Duties.

### Enforcement of Duties

- The duties incorporated in the Constitution by the 42<sup>nd</sup> Amendment are statutory duties and shall be enforceable by law.
- Parliament, by law, will provide penalties to be imposed for failure to fulfil those duties and obligations.
- The success of this provision would, however, depend much upon the manner in which and the person against whom these duties would be enforced.

### Flag Controversy and the New Flag Code

- The earlier Flag Code, which contained a long string of archaic provisions, made the right of flying the Flag that of a privileged few.
- It was seven years ago that Navin Jindal, the vice-Chairman of Jindal Group, who filed a PIL in the Delhi High Court challenging the restraint on his right to fly the Flag.

- With the Delhi High Court ruling that flying the Tricolour is a Fundamental Right and the Supreme Court subsequently recommending the setting up of a committee to examine the question of liberalising the Flag Code.
- Subsequently, the Government set up a committee, and based on the committee's recommendations, the Union Cabinet has decided to relax the unduly stringent rules about flying the Tricolour.

### Sample Questions

- Identify the major Fundamental Duties (2003) .
- What are the fundamental duties and their implications (1993) ?

### Practice Questions

1. The Fundamental Duties were added to the Constitution
  - a. To make the Fundamental rights more effective
  - b. To check anti-national, subversive and unconstitutional agitations
  - c. To accord priority to the Directive Principles over Fundamental Rights
  - d. To achieve all the above objectives
2. Which of the following are included as the Fundamental Duties?
  - a. abidance by the Constitution and respect for its ideals and institutions
  - b. to uphold and protect the sovereignty, unity and integrity of India
  - c. to ensure rule of law in the Country
  - d. to safeguard public property and to abjure violence

Codes:

- a. 1 2 4
  - b. 1 3 4
  - c. 1 2 3
  - d. 1 2 3 4
3. The Fundamental Duties were included in the Constitution with the idea of
    - a. Giving more importance to the Fundamental Rights
    - b. Curbing subversive and unconstitutional activities
    - c. Preventing abuse of Fundamental Rights
    - d. Giving more power to the executive

4. Fundamental Duties do not enjoy any
- Social sanction
  - Moral sanction
  - Political sanction
  - Legal sanction
5. Which of the following are among the Fundamental Duties listed in the Constitution?
- To preserve the rich heritage of our composite culture
  - To abide by the Constitution
  - To strive for excellence in scientific research to win international fame
  - To render national service when called upon to do so

Codes:

- 1 2 3
  - 1 2
  - 1 2 4
  - 2 3 4
6. The Fundamental Duties of a citizen of India include
- To protect and improve the natural environment
  - To cherish and follow the noble ideals which inspired our national struggle for Freedom.
  - To develop scientific temper, humanism and the spirit of inquiry and reform
  - To strive towards achieving equal protection of law

Codes:

- 1 2 3 4
  - 1 2
  - 2 3 4
  - 1 2 3
7. The Fundamental Duties
- were introduced by the 44<sup>th</sup> Amendment
  - are incorporated in Part III-A
  - are not justiciable

Codes:

a. 1 2 3

b. 1 3

c. None

d. 3 only

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