

4.4 Fundamental Duties

The fundamental duties of citizens were added to the constitution by the 42nd amendment in 1976, upon the recommendations of the Swaran Singh Committee that was constituted by the government earlier that year.

Originally ten in number, the fundamental duties were increased to eleven by the 86th amendment in 2002, which added a duty on every parent or guardian to ensure that their child or ward was provided opportunities for education between the ages of six and fourteen years.

The other fundamental duties obligate all citizens to respect the national symbols of India, including the constitution, to cherish, its heritage preserve its composite culture and assist in its defence.

They also obligate all Indians to promote the spirit of common brotherhood, protect the environment and public property, develop scientific temper, abjure violence, and strive towards excellence in all spheres of life.

Citizens are morally obligated by the constitution to perform these duties. However, like the directive principles, these are non-justifiable, without any legal sanction in case of their violation or non-compliance. There is reference to such duties in international instruments such as the Universal Declaration of Human Rights and International Covenant on Civil and Political Rights, and article 51 brings the Indian constitution into conformity with these treaties.

The fundamental duties noted in the constitution are as follows: it shall be the duty of every citizen of India—

- To abide by the constitution and respect its ideals and institutions, the national flag and the national anthem;
- To cherish and follow the noble ideals which inspired our national struggle for freedom;
- To uphold and protect the sovereignty, unity and integrity of India;
- To defend the country and render national service when called upon to do so;
- 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;

To value and preserve the rich heritage of our composite culture; to protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for living creatures;

- To develop the scientific temper, humanism and the spirit of inquiry and reform;
- To safeguard public property and to abjure violence;
- 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;
- Who is a parent or guardian to provide opportunities for education to his child or ward, as the case may be, between the age of six to fourteen years

→ Chapter i—the executive ,the president and vice-president

→ Chapterii—parliament

→ Chapter iii—legislative powers of the president

→ Chapter iv—the union judiciary

→ Chapter v— auditor-general of India

Chapter i.—general

- Chapter ii.—the executive
- Chapter iii.—the state legislature
- Chapter iv.—legislative power of the governor
- Chapter v.—the high courts in the states
- Chapter vi.—subordinate courts

Part vii the states in part b of the first schedule

Part viii the union territories

Part ix the panchayats

Part ixa the municipalities

Part x the scheduled and tribal areas

Part xi relations between the union and the states

- Chapter i.—legislative relations
- Chapter ii.—administrative relations general
- Chapter i.—finance
- Chapter ii.—borrowing
- Chapter iii.—property, contracts, rights, liabilities, obligations and suits
- Chapter iv.—right to property

Chapter i.—services

Part xvi Special provisions relating to certain classes part

xvii official language

- *Chapter i.—Language of the union
- *Chapter ii.—Regional languages
- * Chapter. Language of the supreme court, high courts ,etc.
- *Chapter iv.—Special

part xviii Emergency part xix

Miscellaneous

Part xxi Temporary, transitional and special provisions

Part xxii short title, commencement, authoritative text in Hindi and repeals

Critical evaluation of fundamental rights public opinion

- No rights outside the constitution
- Too many limitations
- Preventive detention and fundamental rights
- Rights can be suspended during emergency
- Absence of economic rights
- Vague and complex language
- Supremacy of parliament over fundamental rights

Special concessions for minorities and backward classes are against the principle of equality.

