

# IMPORTANT QUESTION CLASS – 11 POLITICAL SCIENCE CHAPTER- 2 RIGHTS AND DUTIES IN INDIAN CONSTITUTION

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## Question 1.

**What do you mean by ‘Right to Freedom’?**

**Answer:**

Right to Freedom implies:

- Freedom of speech and expression.
- To assemble peacefully and without arms.
- To form associations and unions.
- To move freely inside territory of country.

## Question 2.

**What does the ‘Right to Life’ stand for?**

**Answer:**

Right to Life stands for:

- To live up without fear, injury and external danger.
- Even the individual himself does not possess the right to take away his own life, i.e. to commit suicide is also a crime before law.

## Question 3.

**What do you mean by the ‘Right to Work’?**

**Answer:**

Right to work includes:

- It is the duty of the state to provide a work to all citizens to earn one’s own livelihood.
- There should be efforts to remove unemployment from the society.
- Every state is responsible to make its citizens mentally and morally fit for struggle of life.

## Question 4.

**What do the Fundamental Duties refer in Indian Constitution?**

**Answer:**

The Fundamental Duties were inserted in Constitution by 42nd Amendment in 1976:

- To remind its citizens, though they enjoy basic fundamental rights but they are supposed to observe certain basic norms of democratic conducts and behavior.
- A set of ten fundamental duties of citizens have been enumerated by the amendment.

### **Question 5.**

#### **What are Directive Principles of State Policy?**

##### **Answer:**

Directive Principles of State Policy are guidelines only to the government which are 'non-justiciable'. It implies:

- The goals and objectives that we as a society should adopt.
- Certain rights that an individual should enjoy apart from Fundamental Rights.
- Certain policies that the government should adopt.

### **Question 6.**

#### **“The Right to Freedom is a cluster of several rights”. Explain.**

##### **Answer:**

The Right to Freedom guarantees various freedoms to the citizens of India:

- **Freedom of Speech and Expression:** Every citizen of India enjoys the Right to Freedom of Speech and Expression of his views/ideas freely either orally or in written form.
- **Freedom to form Unions and Associations:** Citizens of India enjoy the freedom to form unions or associations to safeguard the interests to secure justice and equal opportunities.
- **Freedom to Assemble Peacefully:** Citizens of India can assemble at a place peacefully without arms to interact with each other.
- **Freedom to reside in any part of India:** Indian citizen may reside in any part of India which may be limited only for the sake of public order.
- **Freedom to move freely within the territory of India:** Citizens of India are free to move freely within the territory of India subject to the restrictions imposed in the interest of public order or to safeguard the interest of ST's.
- **Freedom to Practice any Profession or Occupation:** Every citizen has the freedom to choose one's profession as per choice as well as enjoy the right to change the profession according to will and circumstances.

### **Question 7.**

#### **What are the provisions of the Right to Equality?**

##### **Answer:**

'Right to Equality' refers that all citizens of India are equal before law, not to be discriminated on the grounds of caste, colour, religion, language, race, sex or place of birth, etc.

Right to Equality has been included under Articles 14 to 18 of Indian Constitution:

- **Article 14:** Guarantees equality before law and equal protection of law to persons living within territory of India without any discrimination on the ground of caste, colour, race, religion, language, sex, etc.
- **Article 15:** Guarantees social equalities, i.e. no discrimination on any ground as well as equal access of each and every person to the public places and facilities. And state cannot be prevented from making any special provision for women and children.

- Article 16: Guarantees equal opportunities for all citizens in the matters of employment or appointment to any office under the state without any discrimination means employment and appointments should be on the basis of merit.
- Article 17: Abolishes untouchability and its practices in any of the form are also forbidden.
- Article 18: Abolishes titles except the degrees and titles concerned with military and education. Even foreigners who are serving in India are not entitled to receive any title from foreign government without the consent of the President of India.

### **Question 8.**

#### **Mention the Fundamental Duties of a Citizen in Constitution of India.**

##### **Answer:**

By the 42nd Amendment in 1976, ten Fundamental Duties of Citizens of India were incorporated under Article 51A of the Constitution of India:

- To abide by the Constitution and respect its ideals and institutions, national flag, and national anthem.
- To cherish and follow the noble ideals which inspired our national struggle for freedom.
- To uphold and protect sovereignty, unity and integrity of India.
- To defend the country and render national services whenever required.
- To promote harmony and the spirit of common brotherhood amongst all the people of India and to renounce those practices which seem to be indignified towards women.
- To value and preserve the rich heritage of our composite culture.
- To protect and improve the natural environment including forests, lakes, rivers and wildlife as well as to have compassion towards all living creatures.
- To safeguard public property.
- To develop scientific temper and the spirit of inquiry and reform.
- To strive towards excellence in all spheres of individual or collective activities to reach the nation to the higher levels of endeavours and achievements.

### **Question 9.**

#### **Throw some light on the relationship between the Fundamental Rights and Directive Principles of State Policy.**

##### **Answer:**

The Fundamental Rights are guaranteed to the individuals but the Directive Principles are the instructions to the State:

- The Fundamental Rights are justiciable means in case of their violation, it can be challenged either in the High Court or Supreme Court that, oars a duty to safeguard the rights. Whereas Directive Principles of State Policy are not justiciable, these are only to remind to central and state governments about their duties.

- Fundamental Rights are directly concerned with each and every individual whereas Directive Principles of State Policy are directly concerned with the State only, where a State is expected to implement and also to achieve the goal of Welfare State.
- Fundamental Rights may be suspended during the case of emergency by the President including the Right to Constitutional Remedies also whereas Directive Principles of State Policy cannot be suspended even during these circumstances.
- Fundamental Rights concern with the overall development of an individual whereas Directive Principles of State Policy concern with society as a whole which have been mentioned in Article 38 to create a society by the State where all enjoy social and economic justice.

### **Question 10.**

**What is the importance of the Right to Constitutional Remedies? Explain.**

**Answer:**

‘Right to Constitutional Remedies’ is the ‘Heart and Soul’ of Indian Constitution to protect the rest of the Fundamental Rights of the Citizens under Article 32 and 226. This right contains various writs to be issued by the Supreme Court and High Court from time to time:

The Writ of Habeas Corpus:

- The Court orders that the arrested person should be presented before it.
- Court can order to set free an arrested person if the grounds of arrest are unlawful.

Mandamus:

- When the court finds that the particular office holder is not performing legal duty.
- Thereby, he is infringing on the right of an individual.

Prohibition:

- It is issued by a higher court to a lower court on considering a case to go beyond its jurisdiction.
- Higher court orders to stop the proceedings of certain case.

Quo Warranto:

- If the court finds that a person is holding office but is not entitled to hold that office.
- This restricts that person from acting as an office holder.

Certiorari:

The Court orders a lower court or another authority to transfer a matter pending before it to the higher authority or court.