

POLITY LECTURE NOTESPART IVA – FUNDAMENTAL DUTIES

- Part IVA consists of Article 51A.
- It was added by 42nd Amendment Act, 1976, based on the recommendations of Swaran Singh committee.
- Fundamental Duties for citizens are in nature of a code of conduct.

51A.It shall be the duty of every citizen of India—

(a) 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 and wild life, 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) To provide opportunities for education to his child or, as the case may be, ward between the age of six and fourteen years.

Note—(k) was added by the 86th Constitution amendment Act, 2002.

- These fundamental duties are inspired by the Constitution of the former Soviet Union.
- It is the Constitutional sanction being given to the Indian way of life.
- Since, the Fundamental Duties are included in Part IV of the Constitution, these cannot come into force automatically, and neither can these duties be enforced by judicial process.
- The Constitution does not make any provision to enforce these duties automatically or any sanction to prevent the violation of these duties by the citizens. However, it is expected that if a law is enacted by the legislature to enforce these provisions, it shall not be declared unconstitutional on the ground of its inconsistency with the provisions of Article 14 or that of 19.

Some acts passed to enforce Fundamental Duties

- The Emblems and Names (Prevention of Improper use) Act,1950
- The Prevention of Insult to National Honours Act, 1971
- The Untouchability (Offences) Act, 1955
- The Representation of Peoples Act, 1951

- In the year 2000, the Government of India set up a National Committee to review the working of the Constitution.
- It was headed by former CJI M N Venkatachalaiah. The committee submitted its report in 2002.
- The committee recommended the government to take active steps to increase awareness of Fundamental Duties among citizens.
- It also stated that the list of duties is not exhaustive. It said that duties like duty to vote, pay taxes etc. could be added.

Byju's Classes