

# FUNDAMENTAL DUTIES

## 1. Constitutional Basis

Feature	Detail
Part	Part IV-A
Article	Article 51A
Added by	42nd Constitutional Amendment Act, 1976
Based on	USSR Constitution
Committee recommendations	Sardar Swaran Singh Committee (1976)
Originally	10 Duties
11th Duty added by	86th Constitutional Amendment Act, 2002

## 2. List of Fundamental Duties (Article 51A)

It shall be the duty of every citizen of India:

- (a) Abide by the Constitution, respect ideals, institutions, the National Flag & Anthem
- (b) Follow the ideals of the freedom struggle
- (c) Uphold sovereignty, unity, integrity
- (d) Defend the country & render national service
- (e) Promote harmony, brotherhood; renounce practices derogatory to women
- (f) Preserve the rich heritage of the composite culture
- (g) Protect the environment: forests, lakes, rivers, wildlife; compassion for living creatures
- (h) Develop scientific temper, humanism, inquiry & reform
- (i) Safeguard public property; abjure violence
- (j) Strive for excellence in all spheres
- (k) **Duty of parent/guardian to provide education (6–14 years)** → *(added in 2002)*

## 3. Features of Fundamental Duties

- **Moral + Civic nature**
  - Moral: Cherish the ideals of the freedom movement
  - Civic: Respect Flag, Anthem
- **Applicable only to citizens** (unlike some FRs → available to all persons)
- **Non-justiciable** (like DPSPs)
- **But Parliament can make laws** to enforce them
- **Rooted in Indian tradition, culture, and religions**
- **Inspired by the USSR constitution**

## 4. Importance of Fundamental Duties

- Remind citizens of responsibilities
- Promote **discipline, commitment, and national unity**
- Check **anti-national activities**
- Assist courts in **judicial review** (e.g., reasonableness under Art. 14 & 19)
- Establish a **balance between Rights & Duties**

## 5. Rights & Duties – Relationship

**Idea:** Rights → enforceable; Duties → moral–civic but not enforceable.

- They are **complementary**, not opposing.

Example:

Fundamental Right	Related Fundamental Duty
Art. 21 – Right to Education	Art. 51A(k) – Duty of parent to educate child (6–14 yrs)
Art. 19(1)(a) – Free speech	Duty to maintain harmony (51A(e))
Art. 25 – Religious freedom	Duty to promote unity & brotherhood

Rights give **freedom**, duties give **direction**.

## 6. Important Committees & Amendments

Committee/Amendment	Significance
Swaran Singh Committee (1976)	Recommended Fundamental Duties
42nd Amendment (1976)	Added Part IV-A (10 Duties)
86th Amendment (2002)	Added duty 51A(k) on compulsory education

## 7. Supreme Court Judgments on Fundamental Duties

Case	Key Point
Chandra Bhavan Boarding vs State of Mysore (1969)	Minimum wages → welfare obligation consistent with duties
Balaji Raghavan vs Union of India (1995)	Validated National Awards → promoting excellence (51A(j))
M.C. Mehta vs Kamal Nath (2000)	Environmental protection duty (51A(g)) upheld

Case	Key Point
<b>Ranganath Mishra Case (2003)</b>	Directed govt. to spread awareness about Duties
<b>Ramlila Maidan Case (2012)</b>	Citizens must follow lawful orders; protect public property

## 8. Justice Verma Committee (1998)

**Purpose:** Strengthen operationalisation of Duties.

**Identified existing laws enforcing Duties:**

Duty	Enforcing Law
Respect for national symbols	Prevention of Insults to National Honour Act, 1971
Social equality, non-discrimination	Protection of Civil Rights Act, 1955
Ethical elections	Representation of the People Act, 1951
Wildlife protection	Wildlife Protection Act, 1972
Forest conservation	Forest Conservation Act, 1980