



# SNS COLLEGE OF ENGINEERING

Kurumbapalayam (Po), Coimbatore – 641 107



**An Autonomous Institution**

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Approved by AICTE, New Delhi & Affiliated to Anna University, Chennai

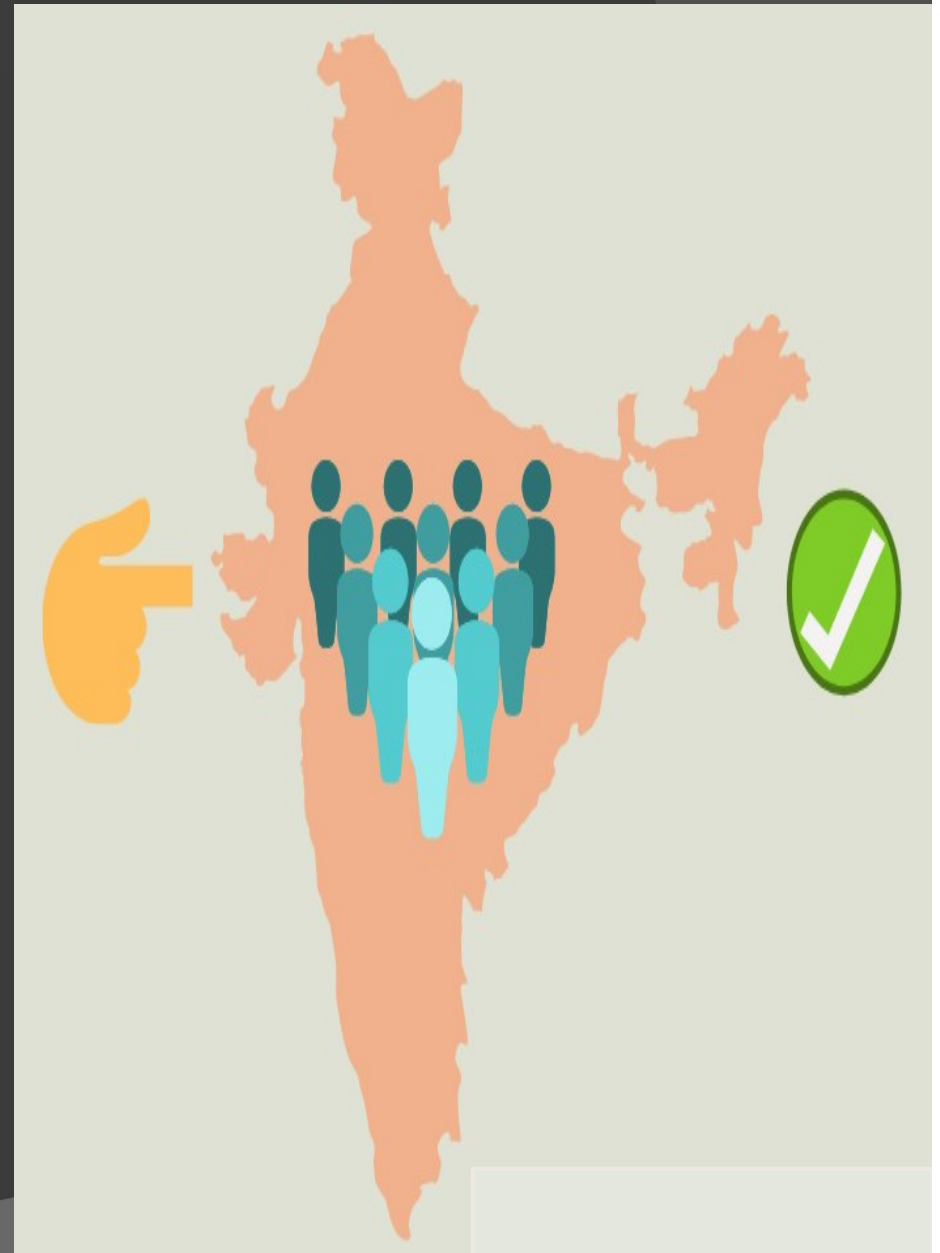
## DEPARTMENT OF ELECTRONICS AND COMMUNICATION ENGINEERING



**SUB: INDIAN CONSTITUTION**  
**SUBCODE:23MCT002**  
**UNIT-I**  
**FUNDAMENTAL DUTIES**

# NEED FOR FUNDAMENTAL DUTIES

- ◎ India is a country where people belonging to different castes, creed, religion, sects etc. live together.
- ◎ In order to maintain harmony and peace and to encourage the feeling of brotherhood the Fundamental Duties on their part plays a vital role.
- ◎ It reminds the citizens that rights and duties go hand in hand.



# Sources of Fundamental Duties

- ◎ It is significant to note that none of the Constitutions of **Western Countries** specifically provide for the duties and obligations of citizens
- ◎ Among the Democratic Constitutions of the world we find mention of certain duties of the citizens in the **Japanese Constitution**.
- ◎ **Yugoslavian** Constitution and Chapter VII of the **Soviet** Constitution lays down Fundamental Rights & Duties and also Chapter II of the Constitution of **Republic Of China**.

# Cont...

## Britain, Canada, Australia

- **The rights and duties of citizens are governed largely by Common Law and Judicial Decisions.**

## France

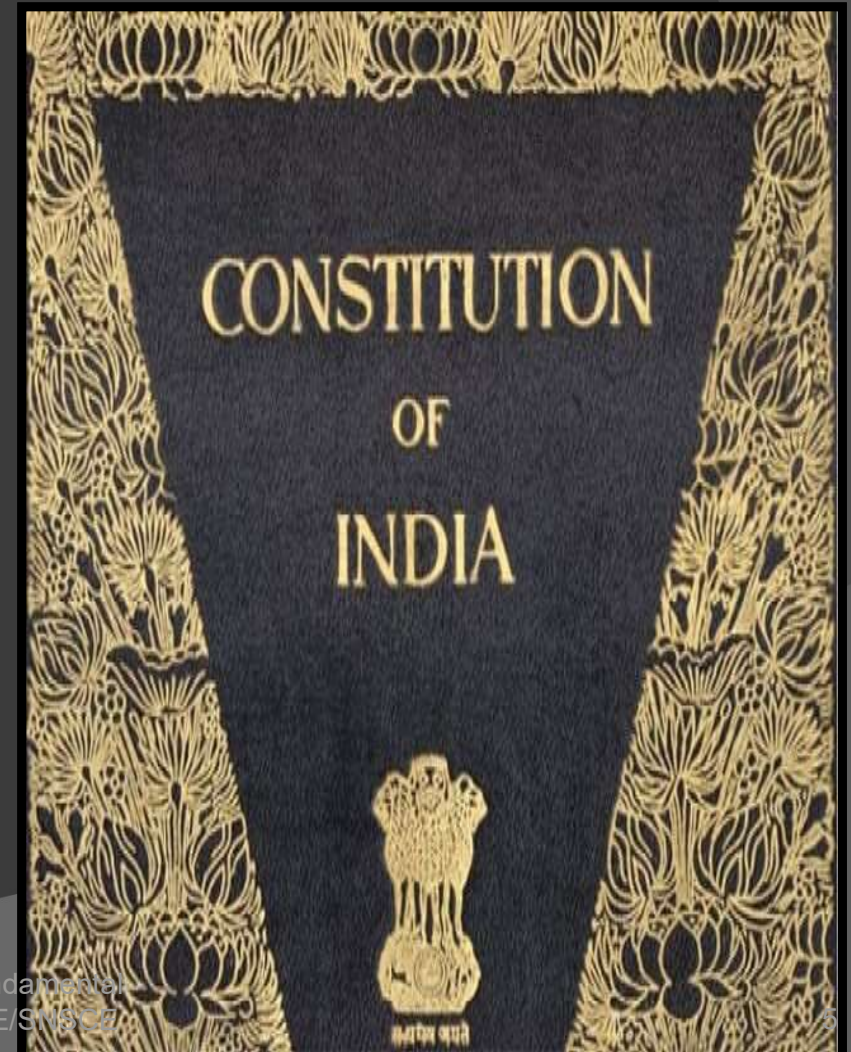
- **Constitution Makes only a passing reference to duties of citizens**

## America

- **Constitution provides only for fundamental rights and not duties of citizen**

# INTRODUCTION

- Fundamental Duties of the citizens of India mentioned in **Article 51A** of the Indian Constitution.
- By the **42nd Amendment** of the Constitution, adopted in **1976**, Fundamental Duties of the citizens have also been enumerated.





# FUNDAMENTAL DUTIES

## 1. To abide by the constitution and respect its ideal and institutions

- ✓ Prevention of Insults to National Honor Act, 1971
- ✓ Section 153A, IPC
- ✓ National Flag Act, 2002



# FUNDAMENTAL DUTIES

**2. To cherish and follow the noble ideals which inspired our national struggle for freedom**

- ✓ Prevention of Insults to National Honor Act, 1971
- ✓ Section 153A, IPC
- ✓ National Flag Act, 2002



# FUNDAMENTAL DUTIES

## 3. To uphold and protect the sovereignty, unity and integrity of India

- ✓ Prevention of Insults to National Honor Act, 1971
- ✓ Section 153A, IPC
- ✓ Section 295A, IPC





# FUNDAMENTAL DUTIES

**4. To defend the country and render national service when called upon to do so**

- ✓ Example- Indo-China War, 1962



# FUNDAMENTAL DUTIES

**5. To promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional diversities, to renounce practices derogatory to the dignity of women**



# FUNDAMENTAL DUTIES

- ✓ The Immoral Traffic (Prevention) Act, 1956
- ✓ The Dowry Prohibition Act, 1961 (28 of 1961) (Amended in 1986)
- ✓ The Indecent Representation of Women (Prohibition) Act, 1986
- ✓ The Commission of Sati (Prevention) Act, 1987 (3 of 1988)
- ✓ Protection of Women from Domestic Violence Act, 2005
- ✓ The Sexual Harassment of Women at Workplace (PREVENTION, PROHIBITION and REDRESSAL) Act, 2013
- ✓ The Criminal Law (Amendment) Act, 2013
- ✓ Indian Penal code, 1860 etc.



# FUNDAMENTAL DUTIES

## 6. To value and preserve the rich heritage of our composite culture

- ✓ Section 425, IPC
- ✓ Ancient Monuments and Archeological Sites and Remains Act, 1958
- ✓ The Prevention of Damage to Public Property Act, 1984





# FUNDAMENTAL DUTIES

## 7. To protect and improve the natural environment including forests, lakes, rivers, and wild-life and to have compassion for living creatures

- The National Green Tribunal Act, 2010
- The Air (Prevention and Control of Pollution) Act, 1981
- The Water (Prevention and Control of Pollution) Act, 1974
- The Environment Protection Act, 1986
- The Hazardous Waste Management Regulations, etc.
- Prevention of Cruelty to Animals Act, 1960



# FUNDAMENTAL DUTIES

## 8. To develop the scientific temper, humanism and the spirit of inquiry and reform

- ✓ Make in India Scheme
- ✓ UAY (Ucchatar Avishkar Yojana)
- ✓ Skill India Scheme
- ✓ Start up India
- ✓ Mudra Yojna Bank
- ✓ Multiplier Grants Scheme (MGS)
- ✓ Credit Guarantee
- ✓ Credit Linked Capital Subsidy for Technology Up gradation etc.



# FUNDAMENTAL DUTIES

## 9. To safeguard public property and to abjure violence

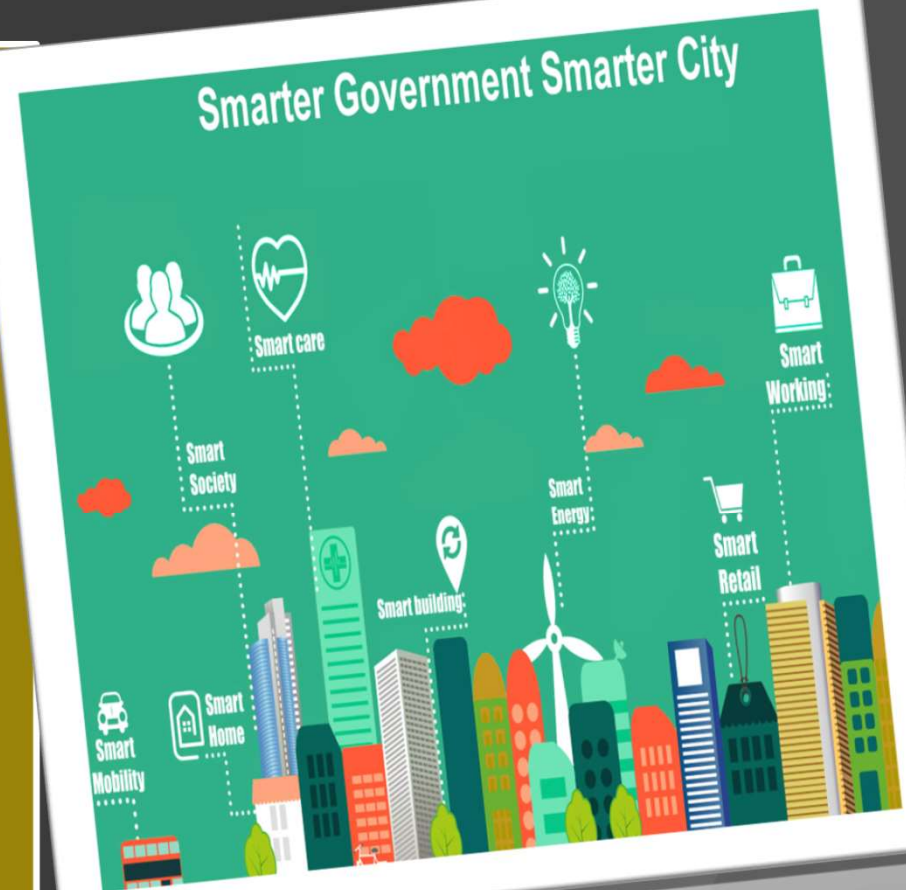
- ✓ Section 425, IPC
- ✓ Section 146-147, IPC
- ✓ The Prevention of Damage to Public Property Act, 1984





# FUNDAMENTAL DUTIES

**10. To strive towards excellence in all spheres of individual and collective activity, so that the nation constantly rises to higher levels of endeavor and achievement.**





*“Everyone has duties to the community in which alone the free and full development of his personality is possible.”*

ARTICLE 29 (1) OF THE  
UNIVERSAL DECLARATION OF  
HUMAN RIGHTS, 1948, STATES:

# FUNDAMENTAL DUTIES

- ✓ Scheme of Financial Assistance for Promotion of Art and Culture
- ✓ IMPRINT (Impacting Research in Technology)
- ✓ Financial Assistance to Centres of Excellence etc.



# FUNDAMENTAL DUTIES

**11. Who is a parent or guardian , to provide opportunities for education to his child, or as the case may be, ward between the age of six and fourteen years**

- ✓ Right of Children to Free and Compulsory Education Act, 2009
- ✓ Article – 45, Indian Constitution
- ✓ Article - 21 A, Indian Constitution



# Enforceability of Fundamental Duties

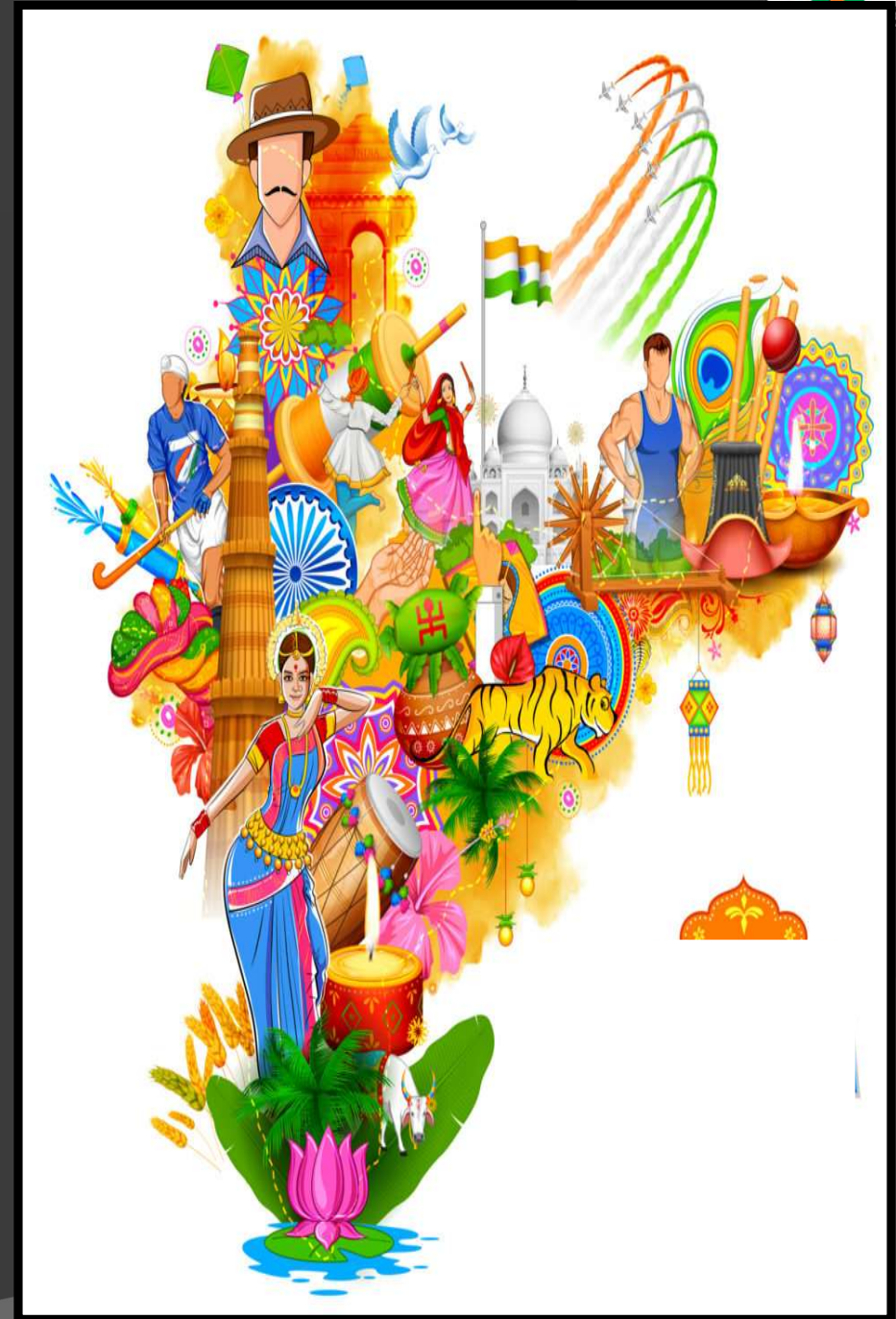
- Duties are observed by individuals as a result of dictates of the social system.
- It may be **necessary to enact suitable legislation** wherever necessary to require obedience of obligations by the citizens.
- If the existing laws are inadequate to enforce the needed discipline, **the legislative vacuum needs to be filled.**





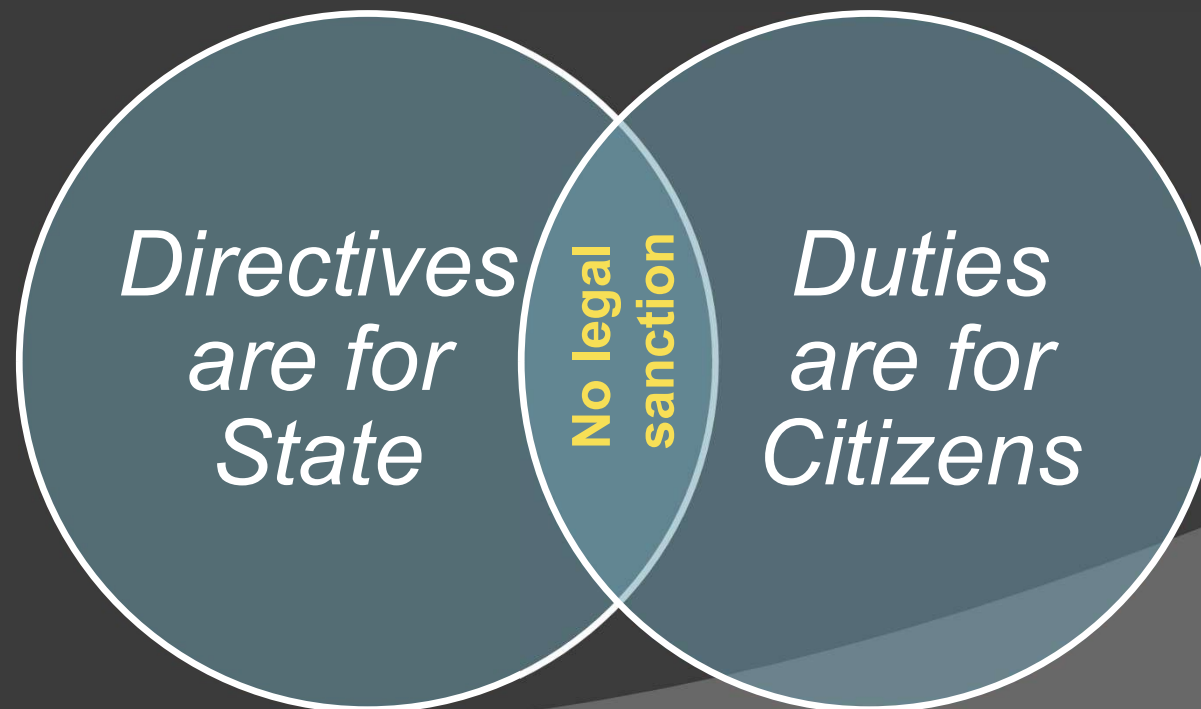
# Cont..

- The citizen, it is expected, **should be his own monitor** while exercising and enforcing his Fundamental rights.
- He should keep in mind that **he owes the duties specified in Article 51-A to the State** and if he does not care for the duties, **he does not deserve the rights.**
- Since the **Fundamental Duties are not addressed to the State**, a citizen cannot claim that.



# Cont..

- The **legal utility** of fundamental duties **is similar to that of the directives**; while the Directives are addressed to the state, so are the duties addressed to the citizens, **without any legal sanction for their violation.**



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