



Fundamental Duties

For Prelims: Fundamental Duties, Swaran Singh Committee

For Mains: Significance of Fundamental Duties, Swaran Singh Committee, Enforcing Fundamental Duties

Why in News?

Recently, [Chief Justice of India](#) said **Fundamental Duties** in the Constitution are **not merely to serve a "pedantic or technical" purpose**, but they were incorporated as the key to social transformation.

How were the Fundamental Duties Incorporated?

- The idea of Fundamental Duties is **inspired from the Constitution of Russia (erstwhile Soviet Union)**.
- These were incorporated in **Part IV-A of the Constitution by the 42nd Constitutional Amendment Act, 1976** on the recommendations of the **Swaran Singh Committee**.
- Originally 10 in number, one more duty was added through the **86th Constitutional Amendment Act, 2002**.
 - All the eleven duties are listed in **Article 51-A of the Constitution** (the sole Article in Part-IV-A).
- Like the [Directive Principles of State Policy](#), Fundamental duties are also non-justiciable in nature.

What are the Listed Fundamental Duties?

- 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 **that inspired the 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 and to renounce practices derogatory to the dignity of women,
- To **value and preserve the rich heritage** of the country's composite culture,
- To protect and **improve the natural environment** including forests, lakes, rivers and wildlife and to have compassion for living creatures,
- To develop 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, and
- To provide **opportunities for education to his child or ward between the age of six and fourteen years** (added by the 86th Constitutional Amendment Act, 2002).

What is the Significance of Fundamental Duties?

- **Constant Reminder of Democratic Conduct:**
 - Fundamental Duties are intended to serve as a constant reminder to every citizen that while the Constitution specifically conferred on them certain **fundamental rights**, it also requires citizens to observe basic norms of democratic conduct and democratic behaviour.
- **Admonishes Against Anti-Social Activities:**
 - They serve as **a warning to the people against the anti-social activities** that disrespect the nation like burning the flag, destroying public property or disturbing public peace.
- **Sense of Discipline and Commitment:**
 - These help in the **promotion of a sense of discipline and commitment towards the nation.**
 - They help in **realising national goals** by the active participation of citizens rather than mere spectators.
- **Help Determine Constitutionality of Law:**
 - It helps the Court in determining the constitutionality of the law.
 - For instance, any law passed by the legislatures, when taken to Court for constitutional validity of the law, **if it is giving force to any Fundamental Duty, then such law would be taken as reasonable.**

What is the Supreme Court's Stand on Fundamental Duties?

- The Supreme Court's *Ranganath Mishra judgment 2003* held that fundamental duties should **not only be enforced by legal sanctions but also by social sanctions.**
- In *AIIMS Students Union v. AIIMS 2001*, it was held by the Supreme Court that **fundamental duties are equally important as fundamental rights.**
 - Though fundamental duties are not enforceable like fundamental rights **they cannot be overlooked as duties in Part IV A.**
 - They are prefixed by the same word fundamental **which was prefixed by the founding fathers of the Constitution to 'right' in Part III.**

Way Forward

- The fundamental duties are not merely pedantic or technical. They were incorporated as the key to social transformation.
- In order to contribute meaningfully to society, the **citizens must first understand the Constitution and its organs.** "It is imperative for the people to understand the system and its nuances, the powers and the limitations.
- That is why it is very important to spread constitutional culture in India.
- There is a need for every citizen **to be a meaningful stakeholder in Indian democracy** and try to imbibe the **Constitutional philosophy in its true spirit.**
- There is a need for a uniform policy for the "proper sensitization, full operationalization and enforceability" of fundamental duties **which would "substantially help citizens to be responsible".**

UPSC Civil Services Examination, Previous Year Questions (PYQs)

Q. "To uphold and protect the Sovereignty, Unity and Integrity of India" is a provision made in the (2015)

- (a) Preamble of the Constitution
- (b) Directive Principles of State Policy
- (c) Fundamental Rights
- (d) Fundamental Duties

Ans: (d)

Exp:

- Fundamental Duties were added to the Constitution by 42nd Amendment Act on the recommendation of Swaran Singh Committee.
- 'To uphold and protect the Sovereignty, Unity and Integrity of India', is enshrined as one of the Fundamental Duties under Article 51A(c) of the Indian Constitution.
- **Therefore, option (d) is the correct answer.**

Q. Which of the following statements is/are true of the Fundamental Duties of an Indian citizen? (2017)

1. A legislative process has been provided to enforce these duties.
2. They are correlative to legal duties.

Select the correct answer using the code given below:

- (a)** 1 only
- (b)** 2 only
- (c)** Both 1 and 2
- (d)** Neither 1 nor 2

Ans: (d)

[Source: TH](#)

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