

Fundamental Duties, List, Evolution, Features, Importance, UPSC Prelims 2025

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Fundamental Duties: As responsible Indian citizens, we are bestowed with certain rights and duties. Alongside our rights, it is crucial to be aware of our Fundamental Duties and fulfil them conscientiously. These duties require us to adhere to the laws of the land and fulfil our legal obligations. The Indian Constitution outlines 11 Fundamental Duties that serve as guiding principles for citizens. These duties encompass a wide range of responsibilities, reflecting the values and ideals that contribute to the betterment of our society and nation as a whole.

Initially, the Indian Constitution only included fundamental rights without Fundamental Duties. The duties of the State were outlined as Directive Principles of State Policy. However, in 1976, Fundamental Duties of the Indian Constitution were added for citizens. The fundamental duties are taken from the constitution of the former USSR.

Fundamental Duties

During the internal emergency (1975-1977), the Congress Party established the **Sardar Swaran Singh Committee in 1976**. The committee recommended incorporating a separate chapter on Fundamental Duties in the Constitution. It emphasised the importance of citizens recognising their duties alongside their rights.

- **42nd Constitutional Amendment Act:** Accepting the committee's recommendations, the Congress Government enacted the 42nd Constitutional Amendment Act in 1976.
 - **Part IV-A** was added to the Constitution, which introduced Article 51A. This article outlined ten Fundamental Duties for citizens, marking their first explicit mention in the Constitution.
- **Incorporated Duties:** While the Swaran Singh Committee initially suggested eight Fundamental Duties, the 42nd Constitutional Amendment Act expanded the list to ten.
- **Duty to educate:** In 2002, **Article 51(k)** was added, which stated that it is a fundamental duty of every citizen who is a parent or a guardian to provide opportunities for free and compulsory education to a child who is between 6 years to 14 years of age.

List of 11 Fundamental Duties of India

The Indian Constitution includes a single Article, Article 51A, in Part IV-A, which deals with Fundamental Duties. These duties were added through the 42nd Amendment Act in 1976, outlining 11 Fundamental Duties for citizens. They are as follows:

Article 51A: Fundamental duties - 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 among 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 wildlife, 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)	who is a parent or guardian to provide opportunities for education to his child or, as the case may be, a ward between the age of six and fourteen years.

Fundamental Duties Features

The main features of the Fundamental Duties are:

- **Moral and civic duties:** The Fundamental Duties encompass both moral and civic obligations. They include responsibilities such as **cherishing the noble ideals** of the freedom struggle under Article 51A (b) (a moral duty) and respecting the Constitution, National Flag, and National Anthem under Article 51A(a) (a civic duty).
- **Rooted in Indian tradition:** The Fundamental Duties are derived from values deeply embedded in Indian tradition, mythology, religions, and practices. For example, the duty to renounce practices derogatory to the dignity of women has been rooted in the Indian tradition for ages.
- **Applicable to citizens:** Unlike certain Fundamental Rights that extend to all individuals, including foreigners, the Fundamental Duties are specifically applicable to Indian citizens.
- **Non-justiciable:** Similar to the Directive Principles of State Policy, the Fundamental Duties are non-justiciable. However, the Parliament has the authority to enforce these duties through suitable legislation.

Fundamental Duties Importance

According to the late Prime Minister Indira Gandhi, the **moral value of fundamental duties lies in establishing a democratic balance** by making individuals equally conscious of their duties as they are of their rights, without suppressing the importance of rights themselves. The Fundamental Duties are considered important from the following viewpoints:

- **Reminding citizens of their responsibilities:** The inclusion of Fundamental Duties serves as a reminder to citizens that while enjoying their rights, they also have obligations towards their country, society, and fellow citizens.
- **Warning against anti-national activities:** Fundamental Duties warn against anti-national or antisocial activities, such as burning the national flag or destroying public property. They help in fostering a sense of respect and reverence towards national symbols and public resources.
- **Inspiring discipline and commitment:** Fundamental Duties inspire citizens and promote a sense of discipline and commitment. They encourage citizens to actively participate in the realisation of national goals actively, fostering a collective effort towards nation-building.
- **Assisting in determining constitutional validity:** Fundamental Duties play a role in **judicial review**.
 - According to a 1992 Supreme Court decision, a court may consider a law to be "reasonable" in relation to **Article 14** (equality before the law) or **Article 19** (six freedoms) and thus prevent it from being unconstitutional if it finds that the law in question seeks to carry out a fundamental duty.
- **Political justification:** The inclusion of Fundamental Duties was justified by H.R. Gokhale, the then Law Minister, and Indira Gandhi, the then Prime Minister, as a means to strengthen democracy and establish a **balance between rights and duties**.

Relation between Fundamental Rights and Fundamental Duties

The Constitution of India not only guarantees fundamental rights but also outlines Fundamental Duties. While Fundamental Rights were introduced earlier and are legally enforceable, Fundamental Duties were established through the 42nd Amendment in 1976.

- **Complementary nature of Fundamental Rights and Duties:** The correlation between Article 21 and Article 51A (k) highlights the complementary **differentiation between fundamental duties and rights**.

- **Article 21** guarantees the right to education, while Article 51A (k) imposes the duty on parents and guardians to provide free and compulsory education for children aged 6-14 years.
- **Neglecting Fundamental Duties:** Individuals often concentrate on their rights while ignoring their duties. In the name of the **right to Free speech**, people sometimes incite violence and spread fake news, but this contradicts the duty to maintain social harmony and unity.
- **Political leaders and religious divisions:** Many political leaders seek votes by exploiting religious affiliations, thereby disregarding their fundamental duty outlined in Article 51A (c) – the duty to protect the sovereignty, unity, and integrity of the country.
- **Reinforcing democracy through fulfilling Duties:** For democracy to flourish, citizens must recognise the significance of fulfilling their Fundamental Duties in conjunction with exercising their fundamental rights.

Important Supreme Court Judgements on Fundamental Duties

Some important judgements of the Supreme Court on Fundamental duties are:

Case	Supreme Court's pronouncement
Chandra Bhavan Boarding and Lodging vs State of Mysore (1969)	Upheld legislation imposing minimum wages for hotel and restaurant employees, emphasising the importance of social welfare .
Balaji Raghavan vs Union of India (1995)	Upheld the constitutional validity of National Awards, stating that they recognize merit and incentivize citizens to strive for excellence .
M.C. Mehta vs Kamal Nath II (2000)	Invalidated a lease in an ecologically sensitive area and imposed fines for harming the environment , highlighting the duty to protect it.
Shri Ranganath Mishra vs Union Of India (2003)	Directed the implementation of recommendations to disseminate information on Fundamental Duties , including the duty to vote in elections.
In Re Ramlila Maidan Incident vs Home Secretary (2012)	Criticised unreasonable eviction from Ramlila Maidan, emphasised the duty to obey lawful orders and safeguard public property.

Justice Verma Committee on Fundamental Duties

The committee was formed in 1998 in response to the need for an effective plan for the enforcement of Fundamental Duties, with the goal of instilling a sense of responsibility and civic consciousness in individuals from an early age. The committee acknowledged the non-operationalization of Fundamental Duties and sought to address it by focusing on implementation strategies.

The **following laws were identified by the committee** for the enforcement of some of the Fundamental Duties:

- **Prevention of Insults to National Honour Act, 1971:** Disrespecting the National flag, the Constitution of India, and the National Anthem is deemed unlawful under this act, ensuring the honour and respect for national symbols.

- **Protection of Civil Rights Act, 1955:** This act provides legal provisions and punishments for offences related to caste and religion, safeguarding civil rights and promoting equality.
- **Representation of the People Act, 1951:** Members of Parliament or state legislatures indulging in corrupt practices, such as seeking votes in the name of religion, can be held accountable under this act, ensuring ethical conduct in elections.
- **Wildlife (Protection) Act, 1972:** This act protects and regulates trade concerning rare and endangered animals, promoting conservation efforts and preserving biodiversity.
- **Forest (Conservation) Act, 1980:** Implemented to ensure the proper implementation of Article 51A(g), this act focuses on the conservation of forests, their resources, and sustainable environmental practices.

Fundamental Duties Conclusion

The **non-enforceability** of fundamental duties does not diminish their importance. They are crucial in a democratic state as they remind individuals of their responsibilities towards the nation while enjoying their rights. The term 'fundamental' attached to these duties highlights their significance, regardless of some duties being enforceable by law separately. It is not solely the government's duty to uphold the Constitution; citizens must also be aware of their societal roles.

Fundamental Duties UPSC PYQs

Q1: Consider the following pairs: **(UPSC Prelims 2025)**

	Provision in the Constitution of India		Stated under
I.	Separation of Judiciary: from the Executive in the public services of the State	:	The Directive Principles of the State Policy
II.	Valuing and preserving: of the rich heritage of our composite culture	:	The Funda-mental Duties
III.	Prohibition of employ-ment of children below the age of 14 years in factories	:	The Funda-mental Rights

How many of the above pairs are correctly matched?

- Only one
- Only two
- All the three

d) None

Ans: (c)

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