



Polity Class Notes for IAS and PCS

Chapter 9: Fundamental Rights

Fundamental Rights (FR)	
➤ Part – III, 12 to 35 Articles, It taken from USA.	
➤ Part – III of Constitution is described as “Magna Carta” of India. It contain very large & complementary list of Justifiable.	
Note	
➤ National emergency not only affect FR but also centre state relationship.	
➤ It imposed on 3 ground	
<ul style="list-style-type: none"> • war • external aggression • Public ground 	
➤ In National emergency – only all FR suspect except 20 & 21 Art.	
Right to equality (14 to 18)	
➤ Art 14: Equality before law and equal protection of law.	
➤ Art 15: No discrimination on ground of race, religion, Birth, Place, Case, and sex	
➤ Art 16: Equal opportunity in matter of Public employment	
➤ Art 17: Abolish untouchability	
➤ Art 18: Abolish Titles (except – Military & Academy)	
Right to Freedom (19 to 22)	
➤ Art 19: there are 6 right related to freedom –	
<ul style="list-style-type: none"> • speech & expression • assembly • association • Peaceful movement • Residence in whole country • Practice of Professional in whole country 	
➤ Art 20: Protection in respect of conviction of offence	
➤ Art 21: Right to Personal liberty	
<ul style="list-style-type: none"> • Art 21A: Right to elementary education (from age of 6 to 14 years) 	
➤ Art 22: Protection against arrest and detention in certain cases.	
Right to against exploitation (23 & 24)	
➤ Art 23: Prohibition of Traffic in human being & forced labour	
➤ Art 24: Prohibition of employment of children in factories, etc.	



Right of Freedom of Religion (25, 26, 27, 28)

Art 25: Freedom to conscience & free Profession, practice & propagate of religion

Art 26: Freedom to manage religion offence

Art 27: Freedom from payment of Taxes for promotion of any religion

Art 28: Freedom for attending religion instruction/workshop in certain educational institution

Right Cultural and Educational right (29 & 30)

Art 29: Protection of Language, script & culture of minorities

Art 30: Right of Minorities to establish & administer educational institutions.

Right to Constitutional Remedies (Art 32)

Art 32: Move to Supreme Court for enforced of FR include units

- habeas corpus
- mandamus
- Prohibition
- Certiorari
- Quo-warrantor

➤ Writs Power: Supreme Court -SC (Art 32) and High Court -HC (226)

➤ Writs power of HC is more than SC. SC issue only for enforce of FR. but HC can for FR & other laws

Writs Power

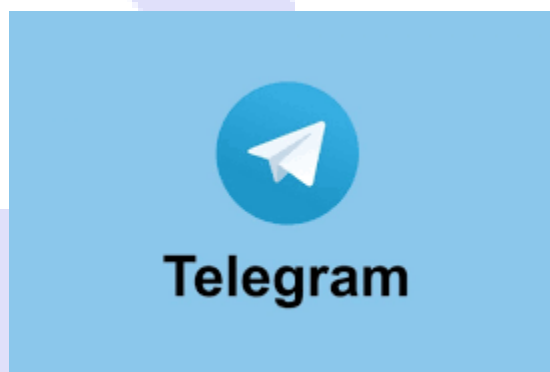
- Habeas Corpus – “to have the body of” – Issued by court to person who has detained another person to provide a body of latter before it. It issued both Public and Private.
- Mandamus – “we command” and it Against Public office – If he has failed/ refuse to Perform duty.
- Prohibition – “to forbid” and it issued by higher court to lower court as Tribunal. It issued against only Judicial/ quasi Judiciary body for Transfer case. It is not against administrative Authorities.
- Certiorari – “to be certified” or “to be informed” and it is issued by higher court to lower court as tribunal for speedup case.
- Quo – warrantor – “By what Authority” or “warrant” and It is issued by court to equally into legality of claim of person to a Public office. It not issued in case of Ministerial office or Private office.



Other link for study of UPSC-UPPCS

DAILY CURRENT AFFAIRS	http://raheineducation.com/daily-current-affairs/
DAILY MAINS PRACTICE QUESTION	http://raheineducation.com/daily-mains-question-practise/
TEST SERIES	http://raheineducation.com/upsc-uppcs-test-series-20-test/
PRE NOTES	http://raheineducation.com/upsc-uppcs-pre-exam/
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