



The Indian Journal for Research in Law and Management

Open Access Law Journal – Copyright © 2025

Editor-in-Chief – Dr. Muktai Deb Chavan; Publisher – Alden Vas; ISSN: 2583-9896

This is an Open Access article distributed under the terms of the Creative Commons Attribution-Non-Commercial-Share Alike 4.0 International (CC-BY-NC-SA 4.0) License, which permits unrestricted non-commercial use, distribution, and reproduction in any medium provided the original work is properly cited.

RIGHTS AND DUTIES OF INDIAN CITIZENS

~Anuj Walia

Fundamental Rights and Duties

India is one of the largest democracies in the world. The Indian Constitution has enshrined its citizens with a unique set of rights and responsibilities which plays an important role in the smooth functioning of the society. Rights and duties are two sides of the same coin — while rights empower citizens, duties remind them to use that power responsibly. Understanding both is crucial to being an active and responsible member of a democratic society. Every citizen must be aware of their rights and duties for building a harmonized and empowered society.

Fundamental Rights: The Pillars of Democracy

Fundamental rights are a group of rights that protect the subject from encroachment. The father of Indian Constitution, Dr. Bhim Rao Ambedkar, described Article 32 as "*heart and soul*" of the Indian Constitution¹, he emphasized on the importance of a free and democratic society which safeguards its citizens from the arbitrary power of the state. Part 3 of the Indian Constitution lays down six fundamental rights:

1. Right to Equality (Articles 14-18)
2. Right to Freedom (Articles 19-22)
3. Right against Exploitation (Articles 23-24)
4. Right to Freedom of Religion (Articles 25-28)
5. Cultural and Educational Rights (Articles 29-30)
6. Right to Constitutional Remedies (Article 32)

These rights have a primary objective is to uphold the ideals of justice, freedom and equality.

1. Right to Equality (Articles 14-18)

- i. Article 14: Equality before law and equal protection of laws.

¹ Ambedkar Jayanti 2024: Why is Article 32 Considered the 'Heart and Soul' of the Indian Constitution, ECON. TIMES (Apr. 14, 2024)

- ii. Article 15: Prohibition of discrimination on grounds of religion, race, caste, sex, or place of birth.
- iii. Article 16: Equality of opportunity in public employment.
- iv. Article 17: Abolition of untouchability.
- v. Article 18: Abolition of titles (except military and academic distinctions).

2. Right to Freedom (Articles 19-22)

- i. Article 19: Protection of six freedoms – speech and expression, assembly, association, movement, residence, and profession (reasonable restrictions apply).
- ii. Article 20: Protection in respect of conviction for offences (no ex post facto laws, double jeopardy, or self-incrimination).
- iii. Article 21: Protection of life and personal liberty (expanded to include right to privacy, environment, education, etc.).
- iv. Article 21A: Right to free and compulsory education (for children aged 6 to 14).
- v. Article 22: Protection against arbitrary arrest and detention.

3. Right against Exploitation (Articles 23-24)

- i. Article 23: Prohibits human trafficking and forced labour.
- ii. Article 24: Prohibits child labour in hazardous employment (below age 14).

4. Right to Freedom of Religion (Articles 25-28)

- i. Article 25: Freedom of conscience and profession, practice, and propagation of religion.
- ii. Article 26: Freedom to manage religious affairs.
- iii. Article 27: No tax for promotion of any religion.
- iv. Article 28: Freedom from attending religious instruction in educational institutions funded by the State.

5. Cultural and Educational Rights (Articles 29-30)

- i. Article 29: Protection of interests of minorities to conserve language, script, and culture.
- ii. Article 30: Right of minorities to establish and administer educational institutions.

6. Right to Constitutional Remedies (Article 32)

- i. It is called the “heart and soul” of the Constitution.
- ii. This article allows the individuals to approach the Supreme Court directly for the enforcement of their Fundamental Rights.

Fundamental Duties: Responsibilities of Every Indian

Fundamental Duties are moral responsibilities placed upon citizens towards the nation, to ensure the smooth functioning of the state. They were added in the 42nd Constitutional Amendment Act, 1976² based on the recommendations of the Swaran Singh Committee³ and were enshrined under Article 51A (Part IV-A) of the Indian Constitution. There are 11 fundamental duties:

1. Respect the Constitution, National Flag and Anthem
2. Cherish freedom struggle ideals
3. Uphold sovereignty and unity
4. Defend the country
5. Promote harmony
6. Preserve cultural heritage
7. Protect the environment
8. Develop scientific temper
9. Safeguard public property
10. Strive for excellence
11. Provide education to children (added by the 86th Amendment⁴)

Conclusion

India, as a sovereign democratic republic, grants its citizens a wide range of freedoms and protections through the Constitution. These Fundamental Rights are essential for the development of every individual and for safeguarding human dignity. They empower people to express themselves freely, live without fear, and participate actively in the nation’s democratic processes. These rights form the foundation of justice, equality, and liberty — values that are at the heart of our Constitution.

² *Fundamental Duties of Indian Citizens – Part IV*, BYJU’S

³ Id.

⁴ Id.

However, with these rights come certain Fundamental Duties that each citizen must perform to ensure the nation's unity, integrity, and progress. While rights provide the freedom to grow and express, duties cultivate a sense of discipline, respect, and commitment to national welfare. Duties encourage us to contribute positively — whether by preserving our environment, respecting cultural heritage, maintaining harmony, or upholding the Constitution and its ideals.

Rights and duties are two sides of the same coin — while rights empower citizens, duties remind them to use that power responsibly. A citizen who enjoys their rights but neglects their duties weakens the very structure that upholds those rights. Therefore, understanding both is crucial to being an active and responsible member of a democratic society. Only when citizens are aware of their entitlements and obligations they can truly thrive and evolve into a more just system in a democracy.

Bibliography

- The Economic Times. *Ambedkar Jayanti 2024: Why is Article 32 Considered the 'Heart and Soul' of the Indian Constitution*. ECONOMIC TIMES (Apr. 14, 2024), <https://economictimes.indiatimes.com/news/new-updates/ambedkar-jayanti-2024-why-is-article-32-considered-the-heart-and-soul-of-the-indian-constitution/articleshow/109284149.cms>.
- *Fundamental Duties of Indian Citizens – Part IV*. BYJU'S, <https://byjus.com/free-ias-prep/fundamental-duties/>.