

Democratic Rights

Fastrack« Revision

- ▶ People want to live happily, without fear and without being subjected to degraded treatment. For this, it is essential that no one harms or hurts them. This gives birth to the concept of 'rights'.
- ▶ Rights are claims of a person over other fellow beings, over the society and over the government. These claims should be such that they can be made available to others in an equal measure.
- ▶ Rights are necessary for the very existence of democracy. In a democracy, rights are guarantees which can be used when things go wrong. When the socially recognised claims are written into law in a democracy, they are called democratic rights.
- ▶ Life without rights cannot be imagined. The relevance of rights can only be felt by the ones who do not possess any rights. The following happenings in three countries help us to understand how difficult it is to live without rights:

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The US Government said that the people who were taken as prisoners were enemies of the US and linked to the attack on New York on 11 September, 2001.

- ▶ **Prison in Guantanamo Bay:** About 600 people were secretly picked up by the US Forces from all over the world and put in a prison in Guantanamo Bay, an area near Cuba controlled by American Navy. **Amnesty International**, an International Human Rights Organisation, reported that the prisoners were being tortured in ways that violated the US laws.
- ▶ **Citizens' Rights in Saudi Arabia:** Saudi Arabia is ruled by a hereditary king and the people had no role in electing or changing their rulers. Citizens cannot form political parties or any political organisations. Media cannot report anything that the Monarch does not like. There is no freedom of religion. Every citizen is required to be Muslim. Non-Muslim residents can follow their religion in private but not in public. Women are subjected to many public restrictions.

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Kosovo, was declared independent, in February 2008, having a majority of the population as Albanians.

- ▶ **Ethnic Massacre in Kosovo:** Kosovo was a province of Yugoslavia. In this province, the population was overwhelmingly ethnic Albanian. But in the entire country, Serbs were in majority. A Serb nationalist

Milosevic had won the election. His government was very hostile to the Kosovo Albanians. A brutal massacre took place when the army killed thousands of Albanians.

- ▶ Some rights which are fundamental to our life are given a special status and are referred to as 'Fundamental Rights'. These are the basic human rights which are given to every citizen in a democracy for the development of his/her personality. The Indian Constitution has given us six Fundamental Rights.
 - ▶ The **Right to Equality** guarantees that every Indian citizen is equal in the eyes of the law. The law does not discriminate between two persons on the basis of socio-economic status or power.
 - ▶ The **Right to Freedom** means, absence of restrictions and interference in our actions by others; especially the government. The Right to Freedom includes the following:
 - Freedom of speech and expression.
 - Freedom to organise assembly in a peaceful manner.
 - Freedom to form associations and unions.
 - Freedom to move and reside in any part of the country.
 - Freedom to carry out any profession or business.

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In case of any violation of the Fundamental Rights, a person can file a Public Interest Litigation (PIL). PIL is an instrument which allows anybody to knock on the doors of the Judiciary.

- ▶ **Right against Exploitation** has banned bonded and child labour and has declared human trafficking illegal.
- ▶ The Constitution gives the **Right to Freedom of Religion**. Every person has the right to profess, practise and propagate his religion. The government does not interfere in the religious matter of its citizens.
- ▶ **Cultural and educational rights** enable minority groups to protect and propagate their unique culture.
- ▶ When any of the Fundamental Rights is violated, the affected person has the **Right to seek Constitutional Remedies**. The person can go to the court where his grievances could be addressed.
- ▶ Demands for many new Fundamental Rights have been coming up with time. Some of these demands have been included under the scope of Fundamental Rights. For example; the Right to Education has been included in the list recently. Similarly, RTI (Right to Information) was enacted recently. Under RTI, anybody can demand information regarding the functions of a government department or official.

Constitution of South Africa guarantees its citizens several kinds of new rights:
Right to privacy, so that citizens or their homes cannot be searched, their phones cannot be tapped, their communication cannot be opened.

- Right to an environment that is not harmful to their health or well being.
- Right to have access to adequate housing.
- Right to have access to healthcare services, sufficient food and water and a provision that no one may be refused emergency medical treatment.



Practice Exercise



Multiple Choice Questions ➤

- Q 1. Name the International Human Rights Commission that collected information on the condition of prisoners tortured in Guantanamo Bay.**
- US International
 - Amnesty International
 - Human Rights International
 - None of the above
- Q 2. The prison in Guantanamo Bay is under which of the following Navy?**
- French Navy
 - Indian Navy
 - American Navy
 - Russian Navy
- Q 3. Which one of the following is not correct about the political conditions in Saudi Arabia?**
- Citizens can form political parties or political organisations.
 - Media cannot report anything that the monarch does not like.
 - Non-Muslim residents can follow their religion in private, but not in public.
 - Women are subjected to many public restrictions.
- Q 4. Which of the following countries is ruled by a hereditary king?**
- Afghanistan
 - Iran
 - Bangladesh
 - Saudi Arabia
- Q 5. Which of the following countries became victim of a major terror attack on 11th September, 2001?**
- India
 - USA
 - Russia
 - France
- Q 6. Kosovo was a province of which of the following countries before its split?**
- Albania
 - Afghanistan
 - Yugoslavia
 - Egypt
- Q 7. Before splitting, Kosovo was a province of:**
- France
 - Yugoslavia
 - USSR
 - US
- Q 8. What does 'Right to Equality' say about the public jobs?**
- The government will provide job to all persons.
 - Jobs will be reserved for the more meritorious students.
 - All citizens will be provided with equal opportunity in matters of employment.
 - None of the above
- Q 9. By what name a person of low caste and untouchable is known?**
- Dalit
 - Scheduled Caste
 - Scheduled Tribe
 - All of these
- Q 10. Name the Fundamental Right under which the right to life falls.**
- Right to Freedom of Religion
 - Right to Freedom
 - Right to Equality
 - Right against Exploitation
- Q 11. Which of the following freedoms is not available to an Indian citizen?**
- Freedom to criticise the government.
 - Freedom to participate in armed revolution.
 - Freedom to start a movement to change the government.
 - Freedom to oppose the central values of the Constitution.
- Q 12. An order of the court to the government issued only by the High Court or the Supreme Court is called:**
- Writ
 - Summon
 - Both a. and b.
 - None of these
- Q 13. Which of the following is/are true meaning of the rule of law?**
- The government shall not deny to any person in India equality before the law.
 - The laws apply in the same manner to all, regardless of a person's status.
 - No person is above the law.
 - All of the above
- Q 14. Which one of the following is not a Fundamental Right under Right to Freedom of Religion?**
- Right to establish and maintain institutions for religious and charitable purposes.
 - Declaration of one's religious beliefs and faiths openly and freely.
 - Right to sacrifice animals.
 - None of the above
- Q 15. Which one of the following is not a Fundamental Right in India?**
- Right to Constitutional Remedies
 - Right against Exploitation
 - Right of Property
 - Right to Freedom of Religion



Which one of the following is incorrect about an arrested person in India?

a. He has to be informed of the reasons for his arrest and detention.

b. He has to be produced before the nearest magistrate within a period of 24 hours of arrest.

c. He has to be produced before a court within 24 hours of arrest if a judge asks to the police to do so.

d. He has the right to consult a lawyer for his defence.

Q 17. An order issued by a court asking a person to appear before it, is called:

a. Writ

b. Summon

c. Right

d. All of these

Q 18. What is called a forced labour?

a. Begar

b. Labourer

c. Both a. and b.

d. None of these

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Begar is a practice where the worker is forced to render service to the master free of charge or at a nominal remuneration.

Q 19. Which Fundamental Right(s) ensures the ban on bonded labour?

a. Right against Exploitation

b. Right to Equality

c. Cultural and Educational Rights

d. Right to Freedom

Q 20. What is the meaning of the term 'writ'?

a. A formal document containing an order of the court to the government.

b. Written laws.

c. A right provided by the Constitution.

d. None of the above

Q 21. Which of the following is not an instance of an exercise of a Fundamental Right?

a. Workers from Bihar go to the Punjab to work on the farms.

b. Christian missions set up a chain of missionary schools.

c. Men and women government employees get the same salary.

d. Parents' property is inherited by their children.

Q 22. Which of the following rights is available under the Indian Constitution?

a. Right to Work

b. Right to Adequate Livelihood

c. Right to Protect One's Culture

d. Right to Privacy

Q 23. Cultural and Educational Rights are safeguarded mainly for:

a. women

b. men

c. children

d. minority

Q 24. When was the NHRC (National Human Rights Commission) set up?

a. 1991

b. 1993

c. 1996

d. 2008

Q 25. Fundamental Rights are guaranteed against the actions of which of the following?

a. Legislature

b. Executive

c. Any authorities instituted by the government

d. All of the above

Q 26. Who among the following is the author of the book 'Satanic Verses'?

a. Salman Rushdie

b. Vikram Seth

c. Taslima Nasreen

d. Amitav Ghosh

Q 27. Absence of constraints means:

a. minority b. writ c. freedom d. speech

Q 28. The right to seek the enforcement of all Fundamental Rights is called:

a. Right against Exploitation

b. Right to Freedom

c. Right to Constitutional Remedies

d. Cultural and Educational Rights

Q 29. Who called the right(s) to Constitutional Remedies as the heart and soul of the Constitution?

a. Sarojini Naidu

b. Dr. Rajendra Prasad

c. Mahatma Gandhi

d. Dr. B.R. Ambedkar

Q 30. Which of the following is an incorrectly matched pair?

a. Demand for legal or moral entitlements, a person makes on fellow citizens, society or the government. --- Begar

b. A formal document containing an order of the court to the government issued only by High Court or the Supreme Court. --- Claim

c. Promise made by individuals, groups or countries to uphold a rule or principle. --- Covenant

d. It is a practice where the worker is forced to render service to the master free of charge or at a nominal remuneration. --- Writ

Q 31. Who among the following is responsible to appoint National Human Rights Commission?

a. The President of India

b. The Chief Justice of India

c. The Prime Minister of India

d. The Vice-President of India

Q 32. Identify the incorrect statement about National Human Rights Commission (NHRC).

a. It is appointed by the President.

b. It focuses on helping the victims to secure their human rights.

c. It brings about independent reports on the violation of the human rights all over the world.

d. It considers the human rights mentioned in the UN sponsored international treaties that India has signed.

Read the following statements carefully and choose the correct option:

Statement (I): Democracy improve the quality of decision making.

Statement (II): Democracy provide method to deal with differences and conflicts.

- a. Statement (I) is correct and (II) is incorrect.
- b. Statement (I) is incorrect and (II) is correct.
- c. Both statements are incorrect.
- d. Both statements are correct.

Q 34. Read the following statements carefully and choose the correct option:

Statement (I): The Right to Equality guarantees that every Indian citizen is equal in the eyes of the Government.

Statement (II): In a democracy, rights are guarantees which can be used when things go wrong.

- a. Statement (I) is correct and (II) is incorrect.
- b. Statement (I) is incorrect and (II) is correct.
- c. Both statements are incorrect.
- d. Both statements are correct.



Assertion & Reason Type Questions

Directions (Q. Nos. 35-42): In the following questions given below, there are two statements marked as Assertion (A) and Reason (R). Read the statements and choose the correct option:

- a. Both Assertion (A) and Reason (R) are true and Reason (R) is the correct explanation of Assertion (A).
- b. Both Assertion (A) and Reason (R) are true, but Reason (R) is not the correct explanation of Assertion (A).
- c. Assertion (A) is true, but Reason (R) is false.
- d. Assertion (A) is false, but Reason (R) is true.

Q 35. Assertion (A): The Rights contained in Part-III of the Indian Constitution are called Fundamental Rights.

Reason (R): The Fundamental Rights are enshrined in the Constitution and are duly incorporated in the Fundamental Law of the land.

Q 36. Assertion (A): India is a secular state.

Reason (R): The Indian Constitution provides us Right to Freedom of Religion under Article 25 to 28 with the objective to sustain the principle of secularism in the country.

Q 37. Assertion (A): Rights are necessary for the very sustenance of a democracy.

Reason (R): Rights protect minorities from the oppression of majority and ensure that majority cannot do whatever it wishes to do.

Q 38. Assertion (A): Rule of law means that the laws apply in the same manner to all regardless of a person's status.

Reason (R): Every citizen is treated above the law and there can be a distinction between a political leader, government official and an ordinary citizen.

Q 39. Assertion (A): In India, an arrested person has the right to consult a lawyer for his defence.

Reason (R): An arrested person has to be produced before a court within 24 hours of arrest if a judge asks the police to do so.

Q 40. Assertion (A): Right to Constitutional Remedies makes other rights effective and is the guardian of other rights.

Reason (R): The Right to Constitutional Remedy is the heart and soul of the Indian Constitution.

Q 41. Assertion (A): The President of India can stop us from approaching the Supreme Court to secure our Fundamental Rights.

Reason (R): The Fundamental Rights have been enshrined in our Constitution.

Q 42. Assertion (A): Right to Freedom is not only a right but also a group of many rights.

Reason (R): Anybody can use this right to incite people or rebel against the government.

Answers

- | | | | | |
|---------|---------|---------|---------|---------|
| 1. (b) | 2. (c) | 3. (a) | 4. (d) | 5. (b) |
| 6. (c) | 7. (b) | 8. (c) | 9. (d) | 10. (b) |
| 11. (b) | 12. (a) | 13. (d) | 14. (c) | 15. (c) |
| 16. (c) | 17. (b) | 18. (a) | 19. (a) | 20. (a) |
| 21. (d) | 22. (c) | 23. (d) | 24. (b) | 25. (d) |
| 26. (a) | 27. (c) | 28. (c) | 29. (d) | 30. (c) |
| 31. (a) | 32. (c) | 33. (d) | 34. (b) | 35. (a) |
| 36. (a) | 37. (a) | 38. (c) | 39. (c) | 40. (b) |
| 41. (d) | 42. (c) | | | |



Source Based Questions

Source 1

Read the source given below and answer the questions that follow by choosing the most appropriate option:

Rights are necessary for the very sustenance of a democracy. In a democracy, every citizen has to have the right to vote and the right to be elected to government. For democratic elections to take place, it is necessary that citizens should have the right to express their opinion, form political parties and take part in political activities.

Rights also perform a very special role in a democracy. Rights protect minorities from the oppression of majority. They ensure that the



majority cannot do whatever it likes. Rights are guarantees which can be used when things go wrong. Things may go wrong when some citizens wish to take away the rights of others. This usually happens when those in majority want to dominate those in minority. The government should protect the citizens' rights in such a situation. But sometimes, elected governments may not protect or may even attack the rights of their own citizens. That is why some rights need to be placed higher than the government, so that the government cannot violate them. In most democracies, the basic rights of the citizen are written down in the Constitution.

Q 1. What is the necessity of rights for the democratic elections?

- Citizens can express their opinions.
- They can form political parties.
- They can take part in political activities.
- All of the above

Q 2. Why do some rights need to be placed higher than the government?

- Otherwise democracy will become meaningless.
- So that the government cannot violate them.
- So that the things do not go wrong.
- So that the citizens' rights can be protected.

Q 3. In which of the following case some citizens may wish to take away the rights of others?

- When the right harms or hurts others.
- When there is no respect for others' rights.
- When they are not recognised as rightful.
- When those in majority want to dominate those in minority.

Q 4. What are the basic rights written down in the Constitution in most democracies called?

- Fundamental Rights
- Guarantees
- Right to Equality
- Right to Freedom

Q 5. Identify the incorrect statement about the special role of rights in a democracy.

- Rights protect minorities from the oppression of majority.
- They can be used when things go wrong.
- They are given to every citizen in a democracy for the development of his/her personality.
- They can be abolished and have a fundamental position in the governance of the country.

Q 6. There are two statements marked as Assertion (A) and Reason (R): Read them and choose the correct option:

Assertion (A): The Fundamental Rights are important because they are enforceable.

Reason (R) : They are given a special status in Indian Constitution.

- Both Assertion (A) and Reason (R) are true and Reason (R) is the correct explanation of Assertion (A).
- Both Assertion (A) and Reason (R) are true, but Reason (R) is not the correct explanation of Assertion (A).
- Assertion (A) is true, but Reason (R) is false.
- Assertion (A) is false, but Reason (R) is true.

Answers

1. (d) 2. (b) 3. (d) 4. (a) 5. (d) 6. (b)

Source 2

Read the source given below and answer the questions that follow by choosing the most appropriate option:

Once the right to liberty and equality is granted, it follows that every citizen has a right not to be exploited. Yet the Constitution makers thought it was necessary to write down certain clear provisions to prevent exploitation of the weaker sections of the society.

The Constitution mentions three specific evils and declares these illegal. First, the Constitution prohibits 'traffic in human beings'. Traffic here means selling and buying of human beings, usually women, for immoral purposes. Second, our Constitution also prohibits forced labour or begar in any form. Begar is a practice where the worker is forced to render service to the 'master' free of charge or at a nominal remuneration. When this practice takes place on a life-long basis, it is called the practice of bonded labour.

Finally, the Constitution also prohibits child labour. No one can employ a child below the age of fourteen to work in any factory or mine or in any other hazardous work, such as railways and ports. Using this as a basis, many laws have been made to prohibit children from working in industries such as beedi making, firecrackers and matches, printing and dyeing.

Q 1. Which of the following has been declared illegal by our Constitution?

- Trafficking in human beings
- Practice of Begar
- Child labour
- All of the above

Q 2. Below what age the child labour has been prohibited by the Constitution?

- 13 years
- 14 years
- 15 years
- 16 years

Which Fundamental Right ensures the ban on bonded labour?

- a. Right to work
- b. Right to adequate livelihood
- c. Right against exploitation
- d. Right to privacy

Q 4. In which of the following industries children are prohibited to work as labour?

- a. Beedi making
- b. Firecrackers and matches industry
- c. Printing and dyeing
- d. All of the above

Q 5. Why do Constitution prohibits traffic in human beings?

- a. It employs the children to do hazardous works.
- b. In it, the worker is forced to render free service to the master.
- c. It is selling and buying of human beings especially the weaker sections.
- d. It violates the personal liberty of an individual.

Q 6. Why is the Right against Exploitation specially devoted to children?

- a. It violates the rights of children.
- b. It protects the children from exploitation.
- c. It does not allow the children to work anywhere.
- d. It provides children with adequate livelihood.

Answers

1. (d) 2. (b) 3. (c) 4. (d) 5. (c) 6. (b)

Source 3

Read the source given below and answer the questions that follow:

Rights are claims of a person over other fellow beings, over the society and over the government. All of us want to live happily, without fear and without being subjected to degraded treatment. For this, we expect others to behave in such a way that does not harm us or hurt us. Equally, our actions should not also harm or hurt others. So, a right is possible when you make a claim that is equally possible for others.

You cannot have a right that harms or hurts others. You cannot have a right to play a game in such a way that it breaks the neighbour's window. The Serbs in Yugoslavia could not have claimed the whole country for themselves. The claims we make should be reasonable. They should be such that can be made available to others in an equal measure. Thus, a right comes with an obligation to respect other rights.

Q 1. What are rights?

Ans. Rights are reasonable claims of persons recognised in society and sanctioned by law.

Q 2. Why is it said that right comes with an obligation to respect others' rights?

Ans. Right comes with an obligation to respect others' rights due to the following reasons:

- (i) All the people want to live happily without any fear and without being hurt or without being subjected to degraded treatment.
- (ii) A right is possible when we make a claim that is equally possible for others. Such claims should be reasonable and can be available to others in an equal measure.

Q 3. Why are rights reasonable claims? Give reasons.

Ans. Rights are reasonable claims because of the following reasons:

- (i) Rights are made available to others and one's right becomes one's duty to respect the rights of others.
- (ii) Rights need to be recognised by the society and must be reasonable.
- (iii) Rights are the claims that we make on society and on government.
- (iv) Rights are those conditions which allow for the fullest development of individuals' personality.



Very Short Answer Type Questions

Q 1. Mention the reason given by America for imprisoning people at Guantanamo Bay.

Ans. America considered the people as their enemies and linked them to the attack on New York on 11th September, 2001.

Q 2. Which body exposed to the world that prisoners at Guantanamo Bay were being tortured in ways that violated the US laws?

Ans. Amnesty International, an international human rights organisation reported that prisoners at Guantanamo Bay were being tortured in ways that violated the US laws.

Q 3. What was Slobodan Milosevic's attitude towards the Albanians?

Ans. Slobodan Milosevic was a narrow-minded Serb nationalist, who wanted Serbs to dominate the Albanians as his government was hostile to the Kosovo Albanians.

Q 4. How was the Massacre of Albanians finally stopped?

Ans. Several countries intervened to stop the Massacre of Albanians.

Q 5. What is meant by rights?

Ans. Rights are those claims of an individual to improve life and which are recognised by society and secured by law.



Which articles of the Constitution deal with Fundamental Rights?

Articles 12 to 35 of the Constitution deal with Fundamental Rights.

Q 7. What is the rule called if the laws apply in the same manner to all, regardless of a person's status?

Ans. The Rule of law applies in the same manner to all, regardless of a person's status.

Q 8. On which day the 'International Human Rights' Day is celebrated?

Ans. The 'International Human Rights' Day is celebrated on 10th December.

Q 9. Under which Article of the Constitution, 'Abolition of Untouchability' lies in?

Ans. 'Abolition of Untouchability' lies in Article 17, of Indian Constitution.

Q 10. Which articles of the Constitution deal with Right to Freedom?

Ans. Articles 19 to 22 of the Constitution deal with Right to Freedom.

Q 11. Which article gives three rights to a person arrested under ordinary circumstances?

Ans. Article 22 gives three rights to a person arrested under ordinary circumstances.

Q 12. Which are the articles that grant the Right to Equality in the Indian Constitution?

Ans. Article 14 to Article 18 grant the Right to Equality in the Indian Constitution.

Q 13. What makes any political system democratic?

Ans. Elections and Institutions need to be combined with enjoyment of rights which makes any political system democratic.

Q 14. Which Fundamental Right says that no person can be deprived of his life or personal liberty except according to procedure established by law?

Ans. Right to Freedom (Article 21): It means that 'Protection of life and personal liberty' ensures all citizens the right to life and personal liberty.

Q 15. What is the Preventive Detention Act?

Ans. Preventive Detention Act is detention without trial so that a person may be stopped from committing a crime.

Q 16. What is traffic in human being?

Ans. Sale and purchase of human beings is called human trafficking.

Q 17. What is meant by 'Begar'?

Ans. 'Begar' is a practice where the worker is forced to render service to the 'master' free of charge or at a nominal remuneration.

Q 18. What is the minimum age below which no one can employ a child?

Ans. The Constitution prohibits child labour. No one can employ a child below the age of 14 to work in any factory.

Q 19. What is a secular state?

Ans. In a secular state, no religion can get any privilege or favour and there is no official religion.

Q 20. Under which article Right to establish educational institutions come?

Ans. The Right to establish educational institutions come under the Article 30.

Q 21. Through which right, all other Fundamental Rights are safeguarded?

Ans. All other Fundamental Rights are safeguarded through Right to Constitutional Remedies.

Q 22. Mention any two features of Fundamental Rights.

Ans. The two features of Fundamental Rights are:
(i) They are limited.
(ii) They can be suspended during emergency.



Short Answer Type Questions

Q 1. Enumerate the restrictions imposed on the citizens of Saudi Arabia by their king.

Ans. The following restrictions are imposed on the citizens of Saudi Arabia:

- (i) Citizens cannot form political parties or any political organisations.
- (ii) There is no freedom of religion. Every citizen is required to be Muslim. Non-Muslim residents can follow their religion in private, but not in public.
- (iii) Women are subjected to many public restrictions. The testimony of one man is considered equal to that of two women.

Q 2. Write down any three characteristics of rights.

Ans. The following are the three characteristics of rights:

- (i) A right is a claim of an individual against society.
- (ii) Rights are not unlimited.
- (iii) Rights imply duties.

Q 3. How far is it correct to say that all claims cannot become rights?

Ans. All claims cannot become rights. Claims having the following features can only be deemed as rights:

- (i) The claims should be reasonable.
- (ii) They should be such that can be made available to others in an equal measure.
- (iii) Claims should be recognised by the society we live in.
- (iv) Claims should be recognised by the society as rightful.

COMMON ERROR

Sometimes, students do not justify the given statement and give irrelevant answer.



The Government of India has provided reservations for Scheduled Castes, Scheduled Tribes and Other Backward Classes. Justify the statement with reason.

Ans. Such reservations are not against the Right to Equality. For equality does not mean giving everyone the same treatment, no matter what they need. Equality in real sense means giving everyone an equal opportunity to achieve whatever one is capable of achieving. Sometimes, it is necessary to give special treatment to someone in order to ensure adequate opportunity for growth.

Q 5. Write any three features of the Right to Equality as a Fundamental Right.

Ans. The following are the features of Right to Equality:

- (i) According to this right, the government cannot deny to any person in India equality before the law or the equal protection of the laws.
- (ii) The government shall not discriminate against any citizen on the grounds of religion, caste, ethnicity, sex or place of birth.
- (iii) All citizens shall have an equality of opportunity in matters relating to any position in the government.

Q 6. State the restrictions which are a part and parcel of the Freedom of Speech and Expression.

Ans. Freedom of Speech and Expression comes with certain restrictions which are as follows:

- (i) One cannot express certain opinions which may incite public hatred and violence or which may hurt the sentiments of a particular religion or community.
- (ii) One cannot incite others to rebel against the country and cannot defame anyone on a false basis.

Q 7. What procedure should be followed if a person is arrested?

Ans. The following procedure is required to be followed if a person is arrested:

- (i) A person who is arrested and detained in custody should be informed of the reasons for such arrest and detention.
- (ii) A person who is arrested and detained should be produced before the nearest magistrate within a period of 24 hours of arrest.
- (iii) Such a person has the right to consult a lawyer or engage a lawyer for his defense.
- (iv) In case of complaint, the magistrate should check the time of arrest by questioning the person arrested.

Q 8. Explain any three features of India as a secular state.

Ans. Three features of India as a secular state are as follows:

- (i) People of India are free to follow any religion.
- (ii) India does not have any official religion.
- (iii) Every religious group or sect is free to manage its religious affairs.

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A secular state is one that does not establish any one religion as the official religion of the country.

Q 9. Mention three Constitutional provisions for the protection of women and children in India.

Ans. Three Constitutional provisions for the protection of women and children are as follows:

- (i) The State can make special provisions for women and children.
- (ii) Trafficking of human beings, especially women and children is a punishable offence in accordance with the law.
- (iii) No child below the age of 14 years can be employed in any hazardous employment.

Q 10. Mention the three evils which have been declared illegal under Right against Exploitation.

Ans. The following three evils have been declared illegal under Right against Exploitation:

- (i) **Trafficking of Human Beings:** The Constitution prohibits this. Traffic means selling and buying of human beings usually women for immoral purposes.
- (ii) **Forced Labour or Begar:** The Constitution prohibits bonded labour or begar. Begar is a practice where the worker is forced to render service to the master free of charge or at a nominal remuneration.
- (iii) **Child Labour:** The Constitution prohibits child labour. No one can employ a child below the age of 14 to work in any factory or mine or any hazardous work such as ports and railways.



Long Answer Type Questions

Q 1. Write a note on ethnic massacre that took place in Kosovo.

Ans. Kosovo was a province of Yugoslavia. In this province, the population was overwhelmingly ethnic Albanian. But in the entire country, Serbs were in majority. When a Serb nationalist Milosevic won the election, his government was very hostile to the Kosovo Albanians. He wanted the Serbs to dominate the country. Many Serb leaders thought that ethnic minorities like Albanians should either leave the

country or accept the dominance of the Serbs. A brutal massacre took place when the army killed thousands of Albanians. This was one of the worst instances of killing based on ethnic prejudices.

Finally, several other countries intervened to stop this massacre. Milosevic lost power and was tried by the International Court of Justice for crimes against humanity.

Kosovo was declared independent in February 2008, having a majority of the population as Albanians.

Q 2. What are the chief characteristics of the Fundamental Rights?

Ans. The chief characteristics of Fundamental Rights are as follows:

- (i) These rights are universal, i.e., they are for all the citizens of India without any discrimination.
- (ii) These rights are not absolute. There are certain restrictions imposed on each of them.
- (iii) The Fundamental Rights are justiciable. It means that citizens can move to the court if any individual or the government is violating their rights.
- (iv) These rights have a comprehensive approach. They tend to safeguard our social, economic, cultural and religious interests.
- (v) These rights can be suspended in the event of National Emergency.
- (vi) These rights are considered the base of our democracy.

Q 3. Why do we need Fundamental Rights in a democracy?

Ans. Fundamental Rights are needed in a democracy because of the below mentioned reasons:

- (i) Fundamental Rights provide the conditions which are essential for the development of the inherent qualities in man and to secure his all round growth.
- (ii) These are necessary to preserve human dignity and promote social progress in an atmosphere of freedom.
- (iii) These provide civil liberties, without which democracy cannot be even conceived.
- (iv) These are a significant check on the arbitrary use of power by the government.
- (v) These rights protect minorities from the oppression of majority.

Q 4. 'Rights are reasonable claims of persons recognised by society and sanctioned by law'. Justify the statement.

Ans. The given statement can be justified as follows:

- (i) Rights are the conditions that allow for the fullest development of individuals' personality.

- (ii) Rights are recognised by the society and must be reasonable.
- (iii) Rights are the claims that are made on other fellow beings, over the society and over the government.
- (iv) Rights are made available to others and one's right becomes one's duty to respect the rights of others.
- (v) Rights are sanctioned by the law and they are required to have legal backing. They are enforceable and if they are violated, one can approach to the courts.



TIP

Mention only the points that justify the rights as reasonable claims of persons and are sanctioned by law.

Q 5. Explain the main provisions of the Right to Equality.

Ans. Right to Equality is an important right provided in the Articles 14-18 of the Constitution. It contains the following main provisions:

- (i) Article 14 of the Constitution guarantees that all citizens shall be equally protected by the laws of country. It means that the State cannot discriminate any of the Indian citizens on the basis of their caste, creed, colour, sex, gender, religion or place of birth.
- (ii) Article 15 states that every person shall have an equal access to public places like public parks, museums, wells, bathing ghats, temples, etc.
- (iii) Article 16 ensures equality in matters of public employment and accordingly all citizens can apply for government jobs. But this right is not conferred to overseas citizens of India.
- (iv) Article 17 of the Constitution abolishes the practice of untouchability and anyone doing so is punishable by law.

Q 6. 'The Right to Freedom is actually a cluster of several rights.' Discuss.

Ans. 'The Right to Freedom is a cluster of several rights'. Article 19 of the Indian Constitution guarantees the following freedoms to all the citizens:

- (i) All citizens are free to live in any part of India but the State can put restrictions, keeping in mind the welfare of local people.
- (ii) All citizens have the right to practise any profession or to carry on any occupation, trade or business.
- (iii) Every citizen of India has been granted freedom to move throughout the Indian Territory.
- (iv) Indian citizens have been given the right to assemble peacefully without arms.



- (v) Freedom of speech and expression is given to the people. However, this freedom cannot be used to instigate violence against others.
- (vi) The Constitution guarantees the right to form associations and unions to every citizen of India to promote their interests.

Q 7. How does the Constitution protect our rights?

Ans. The Constitution protects our rights in the following manner:

- (i) The Fundamental Rights are guaranteed against the actions of the Legislature, the Executive and any other authority instituted by the government.
- (ii) There can be no law or action that violates the Fundamental Rights.
- (iii) Courts can also enforce the Fundamental Rights against private individuals and bodies.
- (iv) The Supreme Court and High Court have the power to issue orders or 'writs' for the enforcement of the Fundamental Rights.
- (v) They can also award compensation to the person whose right has been violated. The courts exercise jurisdiction on the basis of PIL (Public Interest Litigation).

Q 8. Describe the various Fundamental Rights given in the Constitution of India.

Ans. The following Fundamental Rights are given in the Constitution of India:

- (i) **Right to Equality:** It means that all the citizens are equal in the eyes of law and all will be equally protected by law.

(ii) **Right to Freedom:** It is actually a cluster of several rights which are as follows:

- (a) Freedom of speech and expression.
- (b) Freedom of assembly in a peaceful manner.
- (c) Freedom to form associations or unions.
- (d) Freedom to move and reside in any part of the country.
- (e) Freedom to carry out any profession or business.

(iii) **Right against Exploitation:** In addition to the freedoms given above, the Constitution lays down certain provisions to prevent exploitation of the weaker sections of the society.

(iv) **Right to Freedom of Religion:** Articles 25-28 are concerned with the freedom of religion. Article 25 says that all the citizens are free to profess, practise and propagate any religion subject to public order, morality and health.

(v) **Cultural and Educational Rights:** Articles 29-30 of the Constitution make special provisions for the protection of the rights of the minorities.

(vi) **Right to Constitutional Remedies:** Article 32 provides the right to the people to move to the High Court and the Supreme Court for the enforcement of their Fundamental Rights.



Chapter Test

Multiple Choice Questions

Q 1. What can be done in case of infringement of the rights in a democracy?

- a. Citizens are helpless, they cannot do anything.
- b. They can approach courts to protect their rights.
- c. They can ask their representatives to do the needful.
- d. None of the above

Q 2. What was the result of the intervention of other countries to stop the killings of Albanians?

- a. Milosevic lost power and tried for crimes against humanity.
- b. The other countries were punished by UNO for interfering in another country.
- c. It led to further army action by Milosevic.
- d. None of the above

Q 3. The right to seek the enforcement of all Fundamental Rights is called:

- a. Right against Exploitation
- b. Right to Freedom
- c. Right to Constitutional Remedies
- d. Cultural and Educational Rights

Q 4. Which of these is false regarding the freedom of speech and expression?

- a. Everyone has a right to think differently.
- b. One may disagree with a policy of the government.
- c. One can use it to incite people against the government.
- d. One is free to criticise the government.

Q 5. What is meant by the term 'writ'?

- a. Written laws
- b. A formal document containing an order of the court to the government
- c. Basic features of the Constitution
- d. None of the above

A and Reason Type Questions

D (Q. Nos. 6-7): In the following questions given below, there are two statements marked as Assertion (A) and Reason (R). Read the statements and choose the correct option:

- a. Both Assertion (A) and Reason (R) are true and Reason (R) is the correct explanation of Assertion (A).
- b. Both Assertion (A) and Reason (R) are true, but Reason (R) is not the correct explanation of Assertion (A).
- c. Assertion (A) is true, but Reason (R) is false.
- d. Assertion (A) is false, but Reason (R) is true.

Q 6. Assertion (A): Fundamental Rights are necessary to preserve human dignity and promote social progress in an atmosphere of freedom.

Reason (R): Fundamental Rights reveal the essential unity of India as all the citizens of India have the same rights all over the country.

Q 7. Assertion (A): The Right to Constitutional Remedies is considered the 'heart and soul' of our Constitution.

Reason (R): The Right to Constitutional Remedies makes other rights effective and is the guardian of other rights.

Source Based Questions

Q 8. Read the source given below and answer the questions that follow:

Sometimes it leads to expansion in the legal rights that the citizen can enjoy. From time to time, the courts gave judgements to expand the scope of rights. Certain rights like right to freedom of press, right to information and right to education are derived from the Fundamental Rights. Now, school education has become a right for Indian citizens. The governments are responsible for providing free and compulsory education to all children up to the age of 14 years. Parliament has enacted a law giving the right to information to the citizens. This Act was made under the Fundamental Right to freedom of thought and expression. We have a right to seek information from government offices. Recently,

the Supreme Court has expanded the meaning of the right to life to include the right to food. Also, rights are not limited only to Fundamental Rights as enumerated in the Constitution. Constitution provides many more rights, which may not be Fundamental Rights. For example, the right to property is not a Fundamental Right but it is a Constitutional Right. Right to vote in elections is an important Constitutional Right.

- (i) Mention the rights provided by the Constitution which may not be Fundamental Rights.
- (ii) Which are the certain rights derived from the Fundamental Rights?
- (iii) 'Rights are not limited only to Fundamental Rights as enumerated in the Constitution'. Justify.

Very Short Answer Type Questions

- Q 9.** 'Some rights need to be placed higher than the government'. Give reason.
- Q 10.** Define the rule of law. Do you think the rule of law prevails in India?
- Q 11.** Mention any two rights which the Constitution of South Africa guarantees to its citizens.
- Q 12.** Under which article Right to established educational institution come?

Short Answer Type Questions

- Q 13.** Mention the rights of a person arrested under ordinary circumstances.
- Q 14.** Mention any three Constitutional provisions that make India a secular state.
- Q 15.** What provisions have been made by the Indian Constitution for the protection of minorities?
- Q 16.** What is National Human Rights Commission? What are its functions?

Long Answer Type Questions

- Q 17.** Describe any five freedoms granted to the citizens of India under the Right to Freedom.
- Q 18.** What are Fundamental Rights? Explain the main provisions of the Right to Equality.

