

# **FUNDAMENTAL DUTIES – PART IV A – ART 51 A**

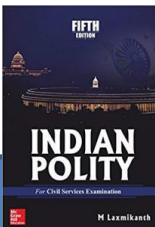
**Originally NOT – 42<sup>nd</sup> A. Act, 1976 & 2002  
expanded**

**Japanese constitution only democratic  
constitution – FDs**

**Need felt during emergency – erstwhile  
USSR constitution influenced**

**Swaran Singh Committee – 1. duties 8  
like paying tax, 2. penalty/punishment for  
non-compliance & 3. no court  
interference**

- a. Constitution & National Symbols**
- b. Cherish ideals of freedom struggle**
- c. Protect sovereignty & integrity**
- d. National service**
- e. Promote harmony & renounce practices derogatory to dignity of women**
- f. Preserve composite culture**
- g. Environmental protection**
- h. Spirit of scientific inquiry**
- i. Safeguarding public property**
- j. Excellence in all activity individually/collectively**
- k. Educate child or ward – 6-14 – 86<sup>th</sup> 2002**

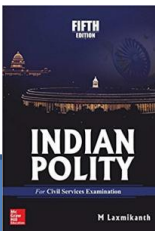


# Features of FDs

- 1. Moral & Civic**
- 2. Reflection of Indian tradition**
- 3. Only to citizens**
- 4. Non-justiciable, No legal sanction**
- 5. Parliament is free to enforce**

## Criticisms

- 1. Not exhaustive – casting vote**
- 2. Vague, ambiguous, difficult to understand**
- 3. Code of moral precepts only – penalty NO**
- 4. People will perform without its presence**



# **SIGNIFICANCE**

- 1. Reminder to the citizens**
- 2. Warning against Anti-social & Anti-national elements**
- 3. Source of inspiration & promote active participation from citizens**
- 4. Helps court in determining the validity of law**
- 5. Enforceable by law**

**VERMA COMMITTEE OBSERVATIONS: FDs of citizens in 1999 – existence of Legal Provisions related to FDs**

**Representation of People Act – 1951**

**PCRs Act – 1955**

**Unlawful Activities (Prevention Act) – 1967**

**National Honour Act – 1971**

**WPA – 1972**

**FCA – 1980**

**Cr. P. C., IPC**

