

ESSAY WRITING COMPETITION: CONSTITUTIONAL OBLIGATIONS

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Constitutional obligations are the set of rules that all the citizens of India must abide by as the citizens and the fellow beings who enjoy the government facilities. Indian Constitution provides us with the freedom of religion, education, political and many more provisions under which we Indian or the citizens, government officials and the people reside here enjoy these, so we have that minimal sense of responsibility that we must follow in order to enjoy the 'Republic-Democratic' government of India.

The Constitution under the chairmanship of Dr Rajendra Prasad in 1946, was the first step towards the formation of the Constitution assembly. Dr BR Ambedkar, prominently known as the architect of Indian constitution visited many countries and read many constitutions of other countries in order to bring the flexible and practicable laws for Indian Constitution.

The Indian Constitution is known as the 'Elephantine Constitution' due to its size which contains more than 4000 pages in it. It is the world's largest hand-written constitution which was started in 1945 December 9th and was completed on 26th January 1949. 11 sessions were held to discuss the Constitution that we hold and finally on 24th January 1950 our constitution was signed and 26th of January 1950 our constitution was given/taken by our people of India. Initially our constitution consisted of 395 articles, 08 parts and 22 schedules. Now 446 Articles, 12 parts, 24 Schedules and 101 Amendments.

Our Constitution took more than 141 days to be hand written completely and exactly 2 years 11 months and 18 days to be completed completely. The Constitution consists of 'Preamble' Fundamental rights and duties, Directive principles of state policy and many more. Preamble being the index of the constitution contains the major highlighting words like freedom, 'Federal', Socialistic, secular, Equality which are hereby given by the constitution to our people and hereby adopted on 26th of January 1950. The new amendments, the 42nd amendment of 1976 brought secular and federal word into the Preamble of India.

Our Constitution is flexible and rigid at the same time. Fundamental rights are as mentioned in Part III of our constitution.

- » Right to Equality [14-18]
- » Right to Freedom [18-22]
- » Right against Exploitation [13-24]
- » Right to follow Religion [25-28]
- » Cultural and Educational right [29-30]
- » Right to Constitutional remedies [31]

Right to Equality; Under article 14 justifies both men and women are equal; under article 15 justifies both men and women get paid equally for their work; under 16 every individual are equal; under 27 abolition of untouchability and punishable offence; under 18- no discrimination based on caste, creed or sex, colour, etc.

Right to Freedom; Under article 19 there are a set of 6 rules mentioned about the expression of a person though and the person travelling any place in India is not an offence. The other articles under this right justifies a person has his right to speak, dress, follow any religion, study, do what he/she wishes to do unless it tampers with any constitutional right or duties. Article 19 speaks about the privacy of a person and respecting another personal privacy.

Right against Exploitation; Under article 23 mentions about the human trafficking or illegal labour of any person; under article 24 mentions about the child labour (below 14 years) cannot be labours.

Right to follow Religion; Under these the article speaks about the person's freedom to follow any religion of his wish under section 25 the other sections 26 deals with the funds and the rules in the religious institutions.

Right to Cultural and Education; It is the person can do any form of cultural achievement in order to bring honour to the nationality also educational wise.

Right to Constitutional remedies; speaks about a person's basic right like 'habeas corpus' Mandamus; 'to forbid', 'command', 'warrant' which are the person himself has the right to question upon when delayed so.

The fundamental duties of the Constitution are mentioned as follows in part IV-51 A of the constitution:

- To respect ideals, institutions, national anthem and national flag.
- To inspire and get motivated from the freedom struggle of India.
- To abide by the rules of the government law.
- To render the service to the nation when called upon to do so.
- To have common brotherhood with all-the citizens of the nation and to protect the dignity of a woman.
- To protect the environment.
- To protect the public property and abjure violence.
- To promote and protect the rich heritage of our country.
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- To have intellectual thinking [scientific temper].
- To promote and bring the country to a superior level by achievement and endeavours.

The 11th constitutional duties were added by the 86th amendment of 2002 which says free and compulsory education must be provided to children 4-16 years by their parents.

Directives of state policy [51-60] under which mentions the set of different kinds of principles like Gandhian principles, socialist principles, General principle and Liberal principle. The Rajya Sabha in which major functions are to be brought into force by Executive Judiciary and Legislative.

However, our Constitution is flexible as well as rigid in the way its government follows the set of rules. Enjoying the freedom of the Constitution also needs the fulfillment of the set of duties and also gives us the rights to talk about these. Small foot paths like paying regular taxes, following the constitutional regulations, respecting the national flag and the anthem and the other set of duties like maintaining peace and integrity of our country., protecting our national environment, rich heritage of our country, public monuments/places, refraining from violence and achieving the success of an individual to promote and up bring our India's pride and achievement are the basic obligations that we must follow being the Constitutional citizens of India.