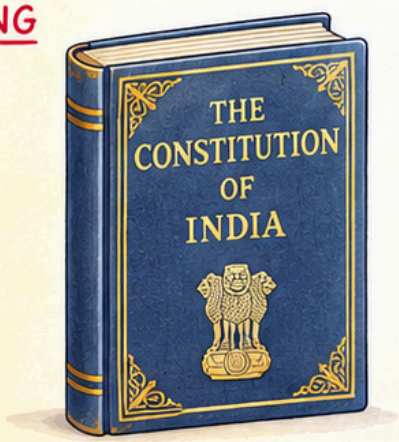
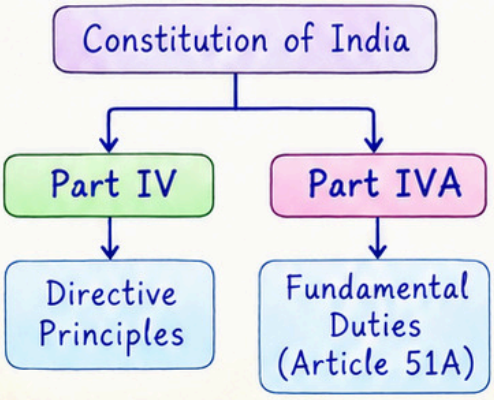
Fundamental Duties: Article 51A

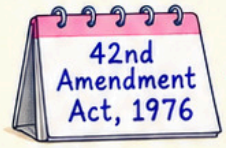
WHERE THEY BELONG

Part IVA contains one Article: 51A.
It lists eleven Fundamental Duties of Indian citizens.
Do not confuse Part IV (Directive Principles) with Part IVA (Fundamental Duties).





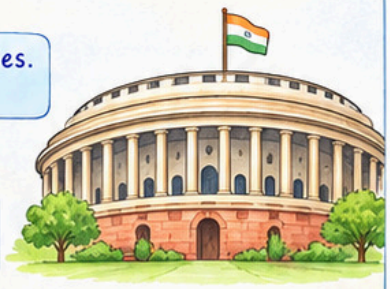
HOW TEN BECAME ELEVEN



→ inserted Part IVA, Article 51A(a)–(j): ten duties. In force from 3 January 1977.



→ added Article 51A(k): the education duty. Clause (k) in force from 1 April 2010.



(a) (b) (c) (d) (e) (f) (g) (h) (i) (j) + (k) = 10 + 1 = 11 duties

WHO BEARS THE DUTY?

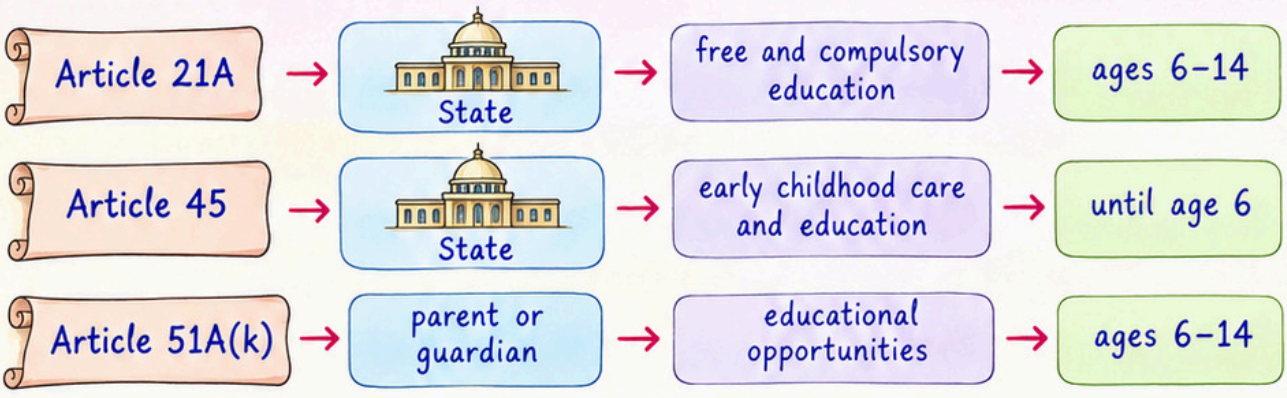
Article 51A addresses citizens of India.
Clause (k) specifically concerns a citizen who is a parent or guardian: provide educational opportunities to a child or ward aged 6–14 years.



EXAM DISTINCTION

An Amendment Act's year and its provision's commencement date can differ. Do not replace 2002 with 2010 when asked which amendment added the education duty.

EDUCATION: THREE DIFFERENT PROVISIONS



The first five duties

The first five duties: Article 51A(a)–(e)

It shall be the duty of every citizen of India:

(a) CONSTITUTION AND NATIONAL SYMBOLS

To abide by the Constitution and respect its ideals and institutions, the National Flag and the National Anthem.



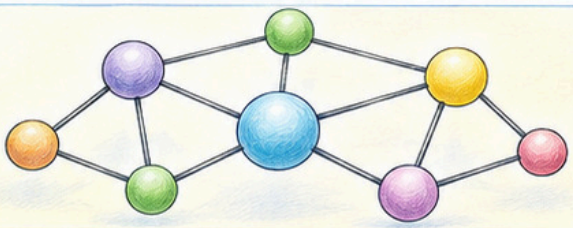
(b) FREEDOM STRUGGLE

To cherish and follow the noble ideals which inspired our national struggle for freedom.



(c) NATIONAL INTEGRITY

To uphold and protect the sovereignty, unity and integrity of India.



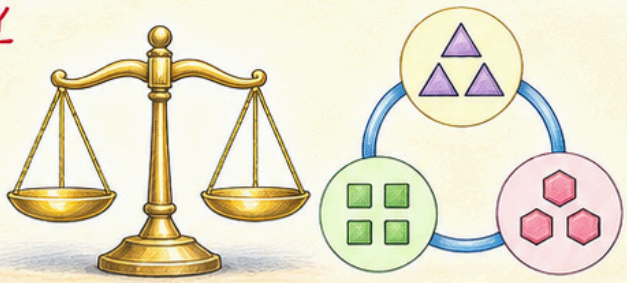
(d) DEFENCE AND SERVICE

To defend the country and render national service when called upon to do so.



(e) HARMONY AND WOMEN'S DIGNITY

To promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities; to renounce practices derogatory to the dignity of women.



RECALL THE DIFFERENCE

- (a) names the National Anthem, not the National Song.
- (b) concerns the ideals of the freedom struggle.
- (c) concerns sovereignty, unity and integrity.
- (e) combines harmony across diversities with women's dignity.

All five clauses were inserted by the 42nd Amendment Act, 1976, effective 3 January 1977.

Culture, environment and human development

Article 51A(f)–(k)

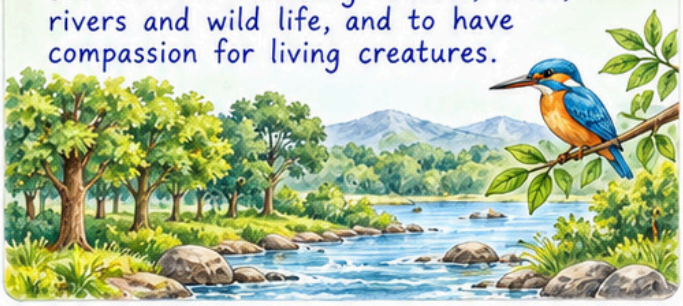
(f) COMPOSITE CULTURE

To value and preserve the rich heritage of our composite culture.



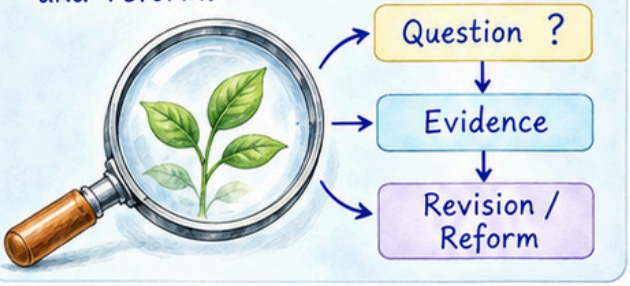
(g) ENVIRONMENT AND LIVING CREATURES

To protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for living creatures.



(h) SCIENTIFIC TEMPER

To develop the scientific temper, humanism and the spirit of inquiry and reform.



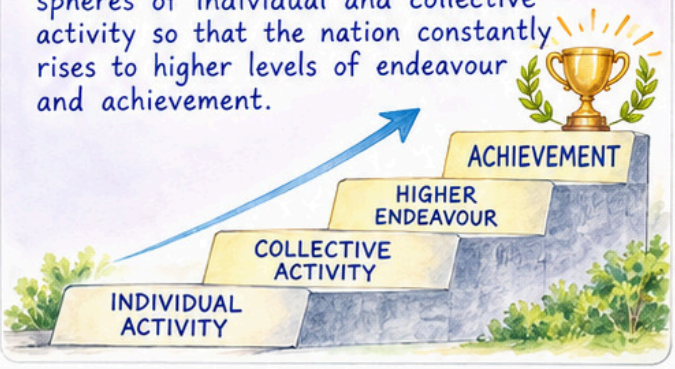
(i) PUBLIC PROPERTY AND NON-VIOLENCE

To safeguard public property and to abjure violence.



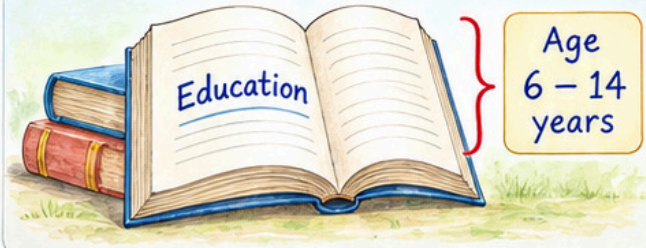
(j) EXCELLENCE

To strive towards excellence in all spheres of individual and collective activity so that the nation constantly rises to higher levels of endeavour and achievement.



(k) EDUCATION

A citizen who is a parent or guardian must provide opportunities for education to a child or ward between the ages of six and fourteen years.



KEEP THE CLAUSES DISTINCT

- Culture → (f)
- Environment and compassion → (g)
- Scientific temper, humanism, inquiry and reform → (h)
- Public property; reject violence → (i)
- Individual and collective excellence → (j)
- Parent or guardian; education ages6–14 → (k)

Clauses(f)–(j): 42nd Amendment Act, 1976.

Clause(k): 86th Amendment Act, 2002.

Rights, Directive Principles and Duties

Three constitutional roles, not interchangeable lists

FUNDAMENTAL RIGHTS



Part III
Articles 12–35

- Some rights protect every person; others are restricted to citizens.
- Article 32 guarantees the right to move the Supreme Court for enforcement of Fundamental Rights.
- Under Article 13, an inconsistent law is void to the extent of the inconsistency.

Location : Part III (Articles 12–35)

↓

Beneficiaries: Every person (some rights restricted to citizens)

↓

Remedy : Enforceable; Article 32 (writ to Supreme Court)



DIRECTIVE PRINCIPLES



Part IV
Articles 36–51

- Addressed to the State.
- Article 37: not enforceable by any court, but fundamental in governance; the State must apply them in making laws.
- Article 51 concerns international peace and security.

Location : Part IV (Articles 36–51)

↓

Addressee : The State

↓

Remedy : Not enforceable by any court (Article 37)



FUNDAMENTAL DUTIES



Part IVA
Article 51A

- Addressed to citizens of India.
- Article 51A contains no separate enforcement mechanism like Article 32.
- Duties guide constitutional interpretation; legislation can give effect to particular duties.
- Article 51A is NOT part of the Directive Principles.

Location : Part IVA (Article 51A)

↓

Addressee : Citizens of India

↓

Remedy : No separate enforcement mechanism comparable to Article 32



RIGHTS DO NOT DEPEND ON DUTIES

Enjoyment of Fundamental Rights is not conditional upon fulfilment of Fundamental Duties. Adding the duties did not change the status of Fundamental Rights.

Fundamental Rights **NOT** Fundamental Duties

REMEMBER

- State obligations ≠ citizens' duties.
- Article 51 ≠ Article 51A.
- A duty without its own writ remedy can still guide interpretation and supporting legislation.

1950 — Rights and Directive Principles already present.

3 January 1977 — First ten Fundamental Duties came into force.

1 April 2010 — Education duty in clause (k) came into force.

How laws support Fundamental Duties

A constitutional duty and a statutory offence are not the same thing

Article 51A(a): Constitution and national symbols



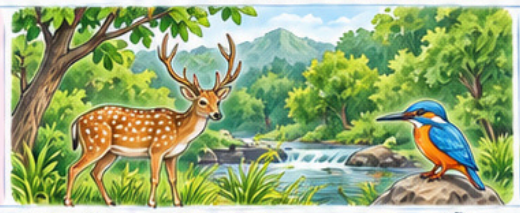
- Prevention of Insults to National Honour Act, 1971.
- Flag Code of India, 2002.

Article 51A(f): Composite cultural heritage



- Ancient Monuments and Archaeological Sites and Remains Act, 1958.
- Antiquities and Art Treasures Act, 1972.

Article 51A(g): Environment and wildlife



- Environment (Protection) Act, 1986.
- Wild Life (Protection) Act, 1972.
- Other environmental laws also support conservation.

Article 51A(i): Public property



- Prevention of Damage to Public Property Act, 1984.

THE CHRONOLOGY TRAP

1958 → ancient monuments law

1971 → national honour law

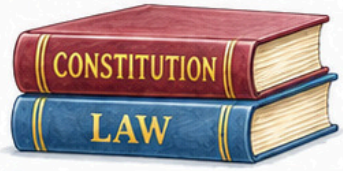
1972 → wildlife law and antiquities law

1976 → 42nd Amendment Act

3 January 1977 → Part IVA in force

1984 → public property law

1986 → environment protection law



Four listed laws predate Part IVA: one from 1958, one from 1971 and two from 1972.

A law need not have been enacted after 1976 to support a Fundamental Duty.

HOW TO THINK ABOUT ENFORCEMENT

Constitutional duty → supporting law or code → specific legal obligations.

Do not assume that every breach of Article 51A is automatically a separate punishable offence. The applicable law determines its own scope and consequences.



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How Fundamental Duties evolved

1976

1976: SWARAN SINGH COMMITTEE

- Set up during the Emergency and chaired by Swaran Singh. It recommended eight duties. A proposal to penalise non-compliance was not accepted.
- The 42nd Amendment Act incorporated ten duties, clauses(a)-(j), effective 3 January 1977.
- The idea was influenced by citizens' duties in the Soviet Constitution.



1998–1999

1998–1999: JUSTICE J.S. VERMA COMMITTEE

- The Government established the committee in 1998 to operationalise suggestions for teaching Fundamental Duties to citizens.
- Final report:31 October 1999.



2003

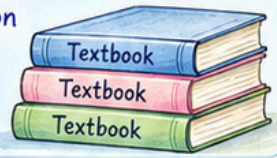
FOLLOW-UP

- 31 July 2003: In Ranganath Mishra v. Union of India, the Supreme Court directed the government to consider the Verma Committee and constitutional-review commission recommendations earnestly and act expeditiously.



2006

- 21 February 2006: The education ministry reported textbook inclusion of duties and charts in opening pages.



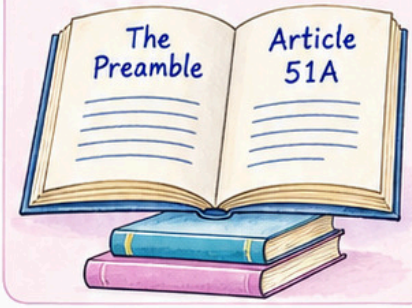
2019

- 2019: Higher educational institutions were directed to organise a Fundamental Duties pledge for Constitution Day, 26 November.



TEACH CITIZENSHIP AS RIGHTS + DUTIES

- Transform school and teacher-education curricula.
- Print the Preamble and Article 51A in school textbooks.
- Understand citizenship values as a combination of rights and duties.
- Enact suitable legislation where necessary to require citizens to fulfil obligations.



DISTINGUISH

- Committee recommendation ≠ constitutional amendment.
- Teaching and civic awareness ≠ automatic punishment for every breach.

Fundamental Duties in court

Not a separate writ remedy, but an interpretive guide

AIIMS STUDENTS' UNION v. AIIMS

Judgment: 24 August 2001; reported as (2002)1SCC 428.

- Fundamental Duties are not enforceable by a writ of court in the same way as Fundamental Rights.
- They nevertheless provide a valuable guide and aid to constitutional interpretation.

THE EXCELLENCE TEST

- Article 51A(h): scientific temper and humanism.
- Article 51A(j): excellence in individual and collective activity.
- The Court tested the institutional reservation for AIIMS's own students against excellence and Article 14.
- It struck down that institutional reservation; it did NOT uphold it.



Submission
A party's argument placed before the Court.

Judgment
The Court's final decision on the case.

M.C. MEHTA v. UNION OF INDIA

Judgment: 12 January 1988.

- The Court cited Article 51A(g), protection of the environment.
- It directed the Central Government to have educational institutions teach environmental-protection lessons for at least one hour a week in the first ten classes.
- Textbooks were to be distributed free of cost.
- Governments were also asked to consider a "Keep the city clean" week.



Submission
A party's argument placed before the Court.

Judgment
The Court's final decision on the case.

TWO PATHWAYS

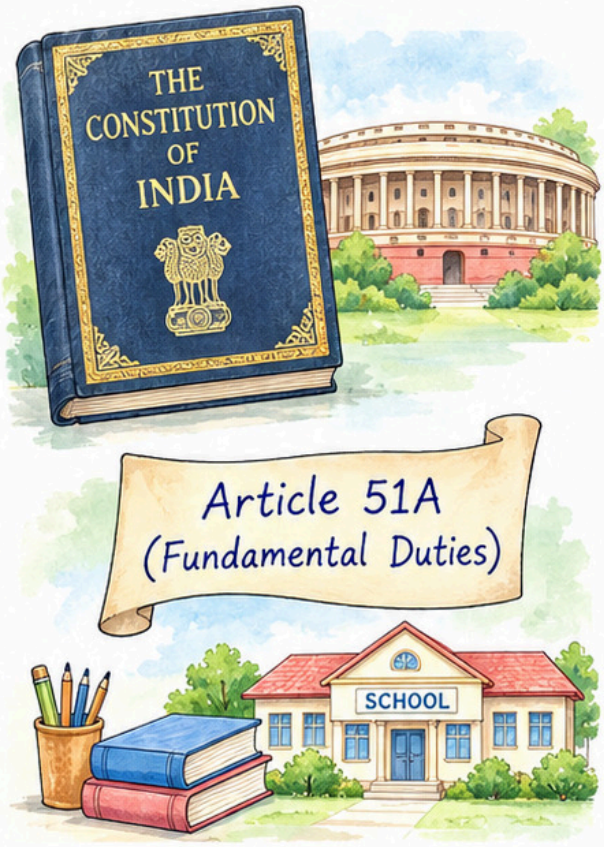
Scientific temper + excellence → interpretive standard → scrutiny of State action.

Environmental duty → educational directions → civic awareness.

A later written submission in Durga Dutt v. Union of India(2024) linked relevant laws to duties. A submission is not itself a Supreme Court judgment.

Q1. Consider the following statements about Article 51A of the Constitution of India:

1. Clause (k), on a parent or guardian providing opportunities for education to a child or ward between the age of six and fourteen years, was added by the Constitution (Eighty-sixth Amendment) Act, 2002.
2. The Constitution makes the enjoyment of rights conditional upon the fulfilment of duties.
3. The duty to renounce practices derogatory to the dignity of women stands in the same clause as the duty to promote harmony and the spirit of common brotherhood.
4. Part IVA, which contains Article 51A, came into force on 3 January 1977.



Which of the statements given above is/are correct?

(1) 1, 2 and 3 only
(2) 1 and 3 only
(3) 1, 3 and 4 only
(4) 2 and 4 only



TRY BEFORE READING THE EXPLANATION

Mark each statement independently. Distinguish the amendment year from the commencement date.

Q1. Answer: (3) 1, 3 and 4 only

Statement 1 : Correct

Clause (k) was inserted by section 4 of the Eighty-sixth Amendment Act, 2002, with effect from 1 April 2010. Its words are "who is a parent or guardian to provide opportunities for education to his child or, as the case may be, ward between the age of six and fourteen years."

Statement 2 : Wrong

Enjoyment of Fundamental Rights is not dependent on fulfilment of duties. Adding the duties did not change the status of Fundamental Rights.

Statement 3 : Correct

Both duties are in clause (e), which first asks citizens to promote harmony and the spirit of common brotherhood transcending religious, linguistic and regional or sectional diversities, and then "to renounce practices derogatory to the dignity of women".

Statement 4 : Correct

Part IVA was inserted by section 11 of the Forty-second Amendment Act, 1976, with effect from 3 January 1977. The amendment was of 1976; the Part took effect in January 1977.

Key timeline: Amendment and commencement

- Eighty-sixth Amendment (2002) → Commencement : 1 April 2010
- Forty-second Amendment (1976) → Commencement : 3 January 1977

Why the other options are wrong:

- (1) includes statement 2, which is wrong, and leaves out statement 4.
- (2) leaves out statement 4, which is correct.
- (4) includes statement 2, which is wrong, and leaves out statements 1 and 3.

Wrong option elimination table

Option	Statements included	Verdict	Reason
(1)	1, 2 and 3 only	Wrong	Includes false statement 2; omits true statement 4.
(2)	1 and 3 only	Wrong	Omits true statement 4.
(3)	1, 3 and 4 only	Correct	All and only the true statements.
(4)	2 and 4 only	Wrong	Includes false statement 2; omits true statements 1 and 3.

Q2. Consider the following statements about how Article 51A has been used and given effect:

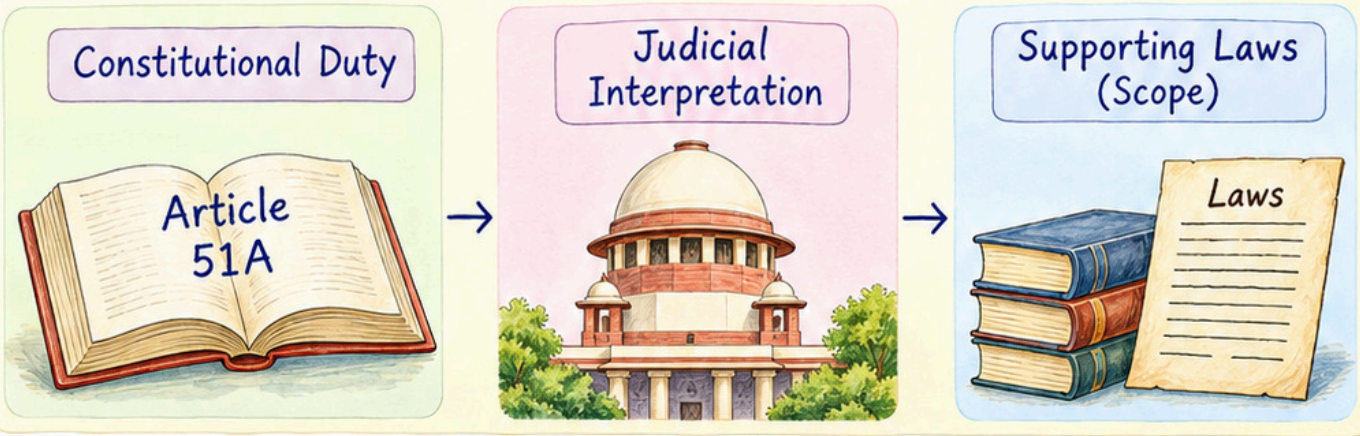
1. The Supreme Court has held that the Fundamental Duties are enforceable by a writ of court in the same way as the Fundamental Rights.
2. In AIIMS Students' Union v. AIIMS (2001), the Supreme Court relied on the duty to strive towards excellence to uphold the institutional reservation of seats for AIIMS's own students.
3. The laws that the Attorney General for India listed in a written note to the Supreme Court as bearing on the Fundamental Duties were all made after 1976.
4. In M.C. Mehta v. Union of India (1988), the Supreme Court cited clause (g) of Article 51A and directed the Central Government to have educational institutions teach lessons on the protection of the natural environment for at least one hour a week.

Which of the statements given above is/are correct?

(1) 1 and 3 only (2) 4 only (3) 2 and 4 only (4) 1, 2 and 3 only

TRY BEFORE READING THE EXPLANATION

Separate a constitutional duty, judicial interpretation and the scope of supporting laws.



Q2. Answer: (2) 4 only

Timeline of supporting laws (before Part IVA)

- **1958** — Ancient Monuments and Archaeological Sites and Remains Act, 1958
- **1971** — Prevention of Insults to National Honour Act, 1971
- **1972** — Wild Life (Protection) Act, 1972
- **Part IVA 1977**

Evaluation of statements

Statement 1: Wrong

In AIIMS Students' Union the Court said "Fundamental duties, as defined in Article 51A, are not made enforceable by a writ of court". They are a guide and aid to interpretation, not rights that a writ enforces.



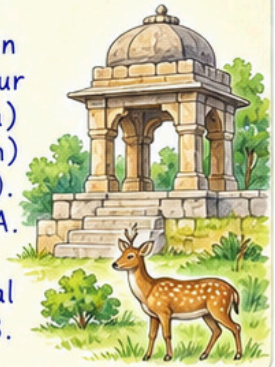
Statement 2: Wrong

The Court used the duty to strive towards excellence the other way. It tested the reservation against that goal and struck down the institutional reservation as violating Article 14.



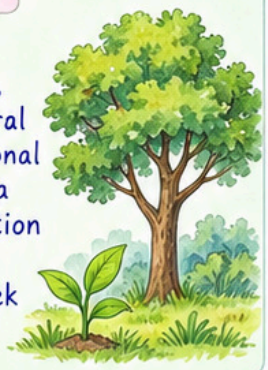
Statement 3: Wrong

The note lists the Prevention of Insults to National Honour Act, 1971 against clause (a) and the Wild Life (Protection) Act, 1972 against clause (g). Both are older than Part IVA. It also lists the Ancient Monuments and Archaeological Sites and Remains Act, 1958.



Statement 4: Correct

On 12 January 1988, citing "Clause (g) of Article 51A", the Court directed the Central Government to have educational institutions throughout India teach lessons on the protection of the natural environment for at least one hour a week in the first ten classes.



Why the other options are wrong:

(1) is made up of two wrong statements and leaves out statement 4.
(3) includes statement 2, which is wrong.
(4) is made up of the three wrong statements.