Q . 1. Why Rights are essential in a democracy?

Q . 2. What are the rights guaranteed by the Indian constitution? **List of Fundamental Rights**

Q . 3. What was Mandal Commission? Why it was set up?
Q 4. In what ways we can say that, "The Right to Constitutional Remedy is the heart and soul of the Indian Constitution in"?

Q 5. What are the Rights of a detained Person?

Q 6. What is PIL and what is the Importance of PIL?
7. What does Freedom mean? What are points mentioned under the Indian constitution for all citizens for freedoms?

8. What is Right to culture and Education?
9. What is Right to Equality?

10. What do you mean by Rights? What are Fundamental Rights?
Answers

Ans. 1. Rights are essential in a democracy because :

(i) Every citizen has the right to vote and the right to be elected to the government.
(ii) For any democratic election to take place, it is necessary that the citizens should have the right to express their opinion, form political parties and take part in political activities.
(iii) Rights protect the minority from the oppression of the majority. The right ensure that the majority cannot do whatever it likes.

Ans. 2. The rights guaranteed by the Indian constitution are called fundamental rights because of the following reasons :

(i) These rights are essential for the overall development of the citizens.
(ii) These are enforceable in the courts of law.
(iii) These have been given to all the citizens by the Constitution and the government cannot abolish them.

List of Fundamental Rights:

(i) Right to Equality.
(ii) Right to Freedom.
(iii) Right Against Exploitation.
(iv) Right to Freedom of Religion.
(v) Cultural and Educational Rights.
(vi) Right to Constitutional Remedies.

Ans. 3. Second backward class commission of 1979 headed by BP Mandal was know as Mandal Commission. It was set up to determine the criteria to identify the socially and educationally backward classes.

Recommendation to the government:

(i) To reserve 27% of govt. jobs for SEBC because it would give a fair chance to rise and progress for socially backward classes.
(ii) Socially backward classes should not be devied from equality of oppurtunity because it increases the feeling of caste division amongst them.

Ans. 4. The Right to Constitutional Remedy is the heart and soul of the Indian Constitution in the following ways :

(i) When any of our rights are violated we can seek remedy through courts. If it is a Fundamental Right we can directly approach the Supreme Court or the High Court of a State.
(ii) If any act of the Legislature or the Executive takes away or limits any of the Fundamental Rights it will be invalid. We can challenge such laws of the central and the state government in the court of law.
(iii) The Supreme Court and the High Courts have the power to issue directions, orders or writs for the enforcement of the Fundamental Rights.

Ans. 5. Rights of a detained Person :

(i) To be informed of the reason of arrest and detention.
(ii) To be produced before the nearest magistrate within 24 hours of arrest.
(iii) Right to consult a lawyer or engage a lawyer for his defence.
Ans. 6. PIL—Anyone can approach the court if public interest is hurt by the actions of the government.

**Importance of PIL:**
(a) The courts intervene to prevent the misuse of the govt. powers to make decisions.
(b) They check malpractices on part of public officials.

Ans. 7. Freedom means absence of constraints. In practical life it means—absence of interference by other individuals or by the government in our internal affairs.

**Under the Indian constitution, all citizens have the following freedoms:**
(i) Freedom of speech and expression.
(ii) Assembly in a peaceful manner.
(iii) Form associations and unions.
(iv) Move freely throughout the country.
(v) Reside in any part of the country.
(vi) Practice any profession, or to carry on any occupation, trade or business.

**Besides the above mentioned ones, the constitution says that:**
(vii) No person can be deprived of his life or personal liberty except according to procedure established by law.
(viii) A person who is arrested and detained in custody will have to be informed of the reasons for such arrest and detention.

A person who is arrested and detained shall be produced before the nearest magistrate within a period of 24 hrs. of his arrest. Such a person has the right to consult a lawyer or engage a lawyer for his defence.

Ans. 8. The Right to culture and Education:
(i) The constitution specifies the cultural and educational rights of the minorities.
(ii) Any section of citizens with a distinct language or culture has a right to conserve it.
(iii) Admission to any educational institution maintained by government or receiving government aid cannot be denied to any citizen on the ground of religion or language.
(iv) All minorities have the right to establish and administer educational institutions of their choice. Here, minority does not mean only religious minority at the national level.
(v) In some places people speaking a particular language are in majority, people speaking a different language are in a minority.

Ans. 9. The Right to Equality:
The constitution says that the government shall not deny to any person in India equality before the law or equal protection of the laws.

The government shall not discriminate against any citizen on grounds of religion, caste, ethnicity, sex or place of birth. Every citizen shall have access to public places like shops, restaurants, hotels and cinema halls. Or in the use of wells, tanks, bathing ghats, roads, play grounds and places of public resorts maintained by the government or dedicated to the use of general public.

All citizens have equality of opportunity in matters relating to employment or appointment to any position in the governments. But seats are reserved for SC, STs and OBC.

Besides, various governments have different schemes for giving preference to women, poor or physically handicapped in some kinds of jobs.

The practice of untouchability has been forbidden in any form, and it is a punishable offence.
Rights:—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 similar treatment from others. You cannot have rights that harm others. The claims we make should be reasonable. They should be such that can be made available to others in an equal measure.

**Rights acquire meaning only in a society:**

(i) Just because we claim something, it does not become a right. It has to be recognized by the society we live in.

(ii) Every society makes certain rules to regulate our conduct. They tell us what is right and what is wrong. What is recognised by society as rightful becomes the basis of rights.

Fundamental rights are the basic rights without which no individual can develop himself to the fullest extent possible. These rights are guaranteed by the Constitution and are enforced by the court of law. However, these rights are not absolute in nature. There are reasonable restrictions imposed on them in the larger interest of the society.