

Question 14.

Are there some exceptions to the Right to Equality?

Explain.

Answer:

Yes, there are two exceptions to the Right to Equality:

- Right to Equality refers to making special provisions for women and children, SCs and STs, OBCs.
- Right to Equality emphasises not to discriminate against anyone in the matter of employment but special provisions have been made for the reservation of post for backward classes.

Question 15.

Mention any two discrimination's against women in our society.

Answer:

- Normally women are low paid workers rather than a man as well as women are not economically independent.
- Women are illiterate in our society which is the main reason for the backwardness of women. Mostly parents prefer education of a boy- child rather than a girl-child.

Question 16.

Mention the features of the writ of mandamus.

Answer:

- This is issued by the Supreme Court to Lower Court, an official or an association.
- It protects the right of a petitioner and gets some duty done by the authority to whom writ is issued.
- The Supreme Court issues the writ to protect fundamental rights but the high court is empowered to issue it for other purposes also except safeguarding the Rights only.

Question 17. What do you mean by the writ Quo Warranto?

Answer:

- Quo warranto issued to an individual who has usurped a public office.
- It is issued only if there is no other way to come out of grievances.
- In reply to Quo warranto the person concerned has to legally prove his right to hold the office, otherwise the court can get office vacated.

Question 18.

Mention the six Fundamental Rights granted by the Constitution of India alongwith importance of these rights.

Answer:

The Constitution of India guarantees six Fundamental Rights as follows:

- Right to Equality
- Right to Freedom
- Right against Exploitation
- Right to Freedom of Religion
- Cultural and Educational Rights
- Right to Constitutional Remedies These rights are of great importance because:
 - These rights assure a man for his overall development.
 - Without these rights, one's life cannot be made worth living.
 - If these rights are violated, the court is responsible to justice.

Question 19.

Which fundamental rights of Constitution protect the interest of minorities?

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Answer:

The following Fundamental Rights especially protect the interests of minorities:

Right to Freedom of Religion The minorities have been given the right and freedom to follow any of the religions as per their choices.

Cultural and Educational Right

- Minorities have right to protect and preserve their own culture, language, etc.
- The minorities can establish their own educational institutions for preserving their own culture.

Question 20.

Mention some Fundamental Duties of Indian Citizens.

Answer:

In 1976, by 42nd Amendment of the Constitution, ten fundamental duties were inserted. Some of them are as follows:

- To safeguard the sovereignty and integrity of the nation.
- To protect the country and even to serve whenever needed.
- To protect and safeguard those great ideals with which we succeeded in the national struggle.
- To abide by the Constitution and to respect its ideals, National flag and National Anthem.

Answer:

- The Fundamental Rights are not absolute because some restrictions can be imposed in the interest of public order, decency or morality.
- These rights are justiciable.
- The state cannot make a law which may violate the Fundamental Rights.
- Some rights are available to all as the Right to Life and personal liberty and some rights are available to only citizens as the Right to Freedom of speech and expression.

Question 23.

“Rights and Duties are interrelated with each other”.

Justify the statement.

Answer:

Rights and Duties go hand in hand:

- Rights help to develop one’s personality while duties help others to develop their personalities.
- We own rights but we owe duties.
- Duties are our obligations towards others whereas Rights are other’s obligations towards us.
- Rights are incomplete without duties whereas duties are meaningless without rights. Hence, it can be concluded that Rights and Duties are the two sides of the same coin.

Question 24.

Discuss the importance of the Article 16 of the Constitution in reference of fulfillment of the Right to Equality of opportunity?

Answer:

- Our Constitution mentions Equality of Status and Equality of Opportunity.
- The government is supposed to implement special schemes and measures to improve the conditions of certain sections of society.
- There is provision for reservations in jobs and admissions for children, women and socially and educationally backward classes despite we follow the principle of equality.
- Article 16 (4): explicitly clarifies that a policy of reservation will not be seen as a violation of Right to Equality. If we try to find out the spirit of Constitution this is required for the fulfillment of the Right to Equality of opportunity.

Question 21.

Write a note on "National Human Rights Commission".

Answer:

National Human Rights Commission (NHRC) is composed of:

- A former chief justice of Supreme Court of India.
- A former Judge of Supreme Court.
- A former Chief Justice of a High Court.
- Two other members who have knowledge and practical experience in the matters relating to human rights.

The commission's functions are to receive complaints of:

- Custodial deaths
- Custodial rape
- Disappearance
- Police excesses
- Failure in taking action
- Indignity to women

The commission's most significant intervention has been in the case of disappeared youth in Punjab and investigation and trial of Gujarat riot cases. The commission does not have the power of prosecution, it can merely make recommendations.

Question 22.

What do you mean by Right to Property and Work?

Answer:

- In 1978, by 44th Amendment to the Constitution the 'Right to Property' was removed from the list of Fundamental Rights and scheduled as a legal right under article 300A.
- Right to Property provides citizens with incentives to work to achieve their desired goals.
- Property may be immovable like houses, farms or movable like cash, jewellery and furniture.
- Right to Work is another right to be possessed by citizens.
- It is the duty of society to provide every citizen with work, adequate means of livelihood and reasonable hours.

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