

Fundamental rights (Source: USA)

Part III - Article 12-25

* Article 12 - Definition of state

- i) Govt of India
- ii) State Governments
- iii) Parliament
- iv) State Legislature
- v) Any local Authority → Panchayat

* Article 13 - The state cannot make any law against fundamental rights. If any law has been enacted against fundamental rights then that law will not be implemented. ~~or~~ That law will be declared as null & void by either Supreme Court or High Court. (Doctrine of severability)

* Article 14 = Equality before law it means that everyone is equal before the law irrespective of religion, language, gender, caste etc.

Equal protection of law = It means everyone gets the right to defend himself or herself before the judiciary.

NOTE : Article 14 establishes right of law in India

* Article 15 = The state cannot discriminate against any citizen on ground of religion, sex, gender, caste etc. In access to road, shop, Hotel, Restaurants, ~~pub~~ places of public entertainment, bathing huts, well, tank etc.

The state can make special provision for women & children.

* Article 16 = (Equality in public employment).

The state shall provide equal opportunity of in the matter of public employment.

The state can make special provision for reservation for any backward class of citizen if state has the opinion that the particular class is not adequately represented in the state services.

* Article 17 :- Abolition of untouchability.

Not Been defined.

* Fundamental rights also known as Magna Carta

Right to property is removed from list of fundamental rights through 44th CAA 1978.

On violation of FR, a person go to supreme court or list to article 32
Article 18 → Abolition of Title

1. The state can provide 2 title Military & Academic

No any citizen of India shall accept any title from any foreign state without the consent of president.

Not absolute (fundamental right) & negative in nature.
Article 19 →

i) Freedom of speech & expression.
ex - Media, Cartoonist.

ii) Freedom to assemble peacefully & without arms
ex - Strike, Protest

iii) Freedom to form union or association
ex - Trade union, cooperative

iv) Freedom of move freely within country.

v) Freedom to reside (Temporary) or settle permanent.

vi) Freedom to choose any trade or profession

Parliament can put restriction on these rights.