

Research Article

Relevance of Fundamental Duties in the Indian Constitution The Crucial Balance of Rights and Responsibilities

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श्रेयान्स्वधर्मो विगुणः परधर्मात्स्वनुष्ठितात् |
स्वधर्मे निधनं श्रेयः परधर्मो भयावहः ||

Chapter-3, verse 35

"It is better to perform one's own duty imperfectly than to perform another's duty perfectly. It is better to die in one's own duty; performing another's duty is fraught with fear."

Abstract

In the world's largest democratic country, India, where people of diverse castes, creeds, and sects reside, the vision of a developed India, as well as the preservation and protection of the nation's sovereignty, unity, and integrity, greatly depends on citizens fulfilling their Fundamental Duties. It also reminds us that Fundamental Rights and Duties are deeply interconnected. An important question is how individuals should be punished for violating Fundamental Duties. Although the 42nd Constitutional Amendment empowers Parliament to enact laws prescribing penalties, identifying and proving such violations remains a challenge. Therefore, greater public awareness of both Fundamental Rights and Fundamental Duties is essential. This can be achieved only through the collective efforts of individuals, governments, educational institutions, NGOs, and other organizations. Increased awareness of these long-neglected duties will strengthen the vision of a developed India. This article examines the historical evolution, constitutional significance, judicial interpretation, and contemporary relevance of Fundamental Duties, arguing for their revival as an essential component of democratic governance.

Keywords: Fundamental Duties, Article 51A, Indian Constitution, Fundamental Rights, Citizen & Civic Responsibility, Constitutional Obligations, Judicial Interpretation, Constitutional Law.

Introduction

Rights and duties are inherently linked, functioning as two sides of the same coin. In contemporary society, there is a heavy emphasis on demanding fundamental rights, while the corresponding constitutional duties are frequently ignored. The prominent jurist Leon Duguit once noted that the only true right one possesses is the right to fulfil their duty; if everyone adhered to this, the need to demand rights would disappear.

Unfortunately, we often witness individuals engaging in anti-national behaviours while shielding themselves behind the excuse of constitutional rights, entirely forgetting their civic responsibilities. Mahatma Gandhi elegantly summarized this dynamic, stating that pursuing rights while leaving duties unperformed is a futile chase, as true rights stem directly from the fulfilment of our duties. Former Chief Justice of India R.C.Lahoti also highlighted the brilliance of

Article 51A, comparing its beautifully drafted provisions to the sacred verses of a holy book that are, sadly, too often forgotten by citizens and the judiciary alike.

Historical Roots and the 42nd Amendment

The original framework of the Indian Constitution did not include a specific section for Fundamental Duties. The concept was heavily inspired by the Constitution of the USSR and was introduced during Prime Minister Indira Gandhi's tenure. In early 1976, the All India Congress Committee established the 12-member Swaran Singh Committee to recommend constitutional updates.

After extensive deliberations, the committee proposed eight fundamental duties and suggested implementing penalties for those who violated them. The government rejected the penal provisions but formally introduced ten Fundamental Duties through the 42nd Amendment Act of 1976, housing them under a newly created Part IV A and Article 51A. An eleventh duty was subsequently added via the 86th Amendment Act in 2002.

The Eleven Fundamental Duties of an Indian Citizen

Article 51A outlines that it is the duty of every citizen to:

1. Respect the Constitution, its institutions, the National Flag, and the National Anthem.
2. Uphold the noble ideals that fuelled the national freedom struggle.
3. Protect and uphold the sovereignty, unity, and integrity of India.
4. Defend the nation and provide national service when required.
5. Foster harmony and universal brotherhood, while abandoning practices that demean the dignity of women.
6. Value and preserve India's rich, composite cultural heritage.
7. Protect and enhance the natural environment, including wildlife, lakes, and forests, while showing compassion for living creatures.
8. Cultivate humanism, a scientific temper, and a spirit of inquiry.
9. Safeguard public property and actively reject violence.
10. Strive for excellence in all personal and collective endeavours to propel the nation forward.
11. Provide educational opportunities for children or wards between the ages of six and fourteen.

Significance of Fundamental Duties

1. Fundamental Duties remind citizens that while enjoying their rights, they must also fulfil the irresponsibility towards the nation and fellow citizens.
2. They act as a warning against anti-social activities that harm the country, such as disrespecting the national flag, damaging public property, or disturbing public peace.
3. They help in developing a sense of discipline, responsibility, and patriotism among citizens.
4. They encourage people to actively participate in achieving national goals instead of being passive observers.
5. They assist the courts in deciding whether a law is constitutional. If a law supports the enforcement of Fundamental Duties, it is more likely to be considered reasonable.
6. These duties can be enforced by law, and Parliament has the power to impose penalties or punishments for their violation.

Global Perspectives on Citizen Duties

Interestingly, most Western democratic constitutions, such as those of France and the United States, do not explicitly list citizen duties, relying instead on societal education and inherent patriotism. In contrast, socialist frameworks place immense weight on these obligations. The former Soviet Constitution contained strict mandates regarding military service, observing laws, and protecting socialist property, while the Yugoslavian Constitution

tied the enjoyment of rights directly to the fulfilment of duties, such as the duty to work. Among major democratic nations, the Japanese Constitution stands out by including a specific chapter dedicated to the duties of its people.

Judicial Interpretation and Enforcement

Unlike Fundamental Rights (Part III), which can be directly enforced through writ petitions to the High Courts or Supreme Court, Fundamental Duties (Part IV A) are legally non-justifiable. However, the Indian judiciary has increasingly leaned on them to interpret the law and issue directives:

Environmental Protection: In landmark cases like *Rural Litigation and Entitlement Kendra v. State of UP* (1985) 2 SCC 431 and *Shri Sachidanand Pandey v. State of West Bengal* AIR 1987 SC 1109, the Supreme Court prioritized ecological balance over business rights, utilizing Article 51A(g) to mandate the protection of the environment.

- **Educational Mandates:** In *M.C. Mehta v. Union of India* (1992) 1 SCC 358, the Court relied on Fundamental Duties to direct the central government to implement environmental education in schools and organize cleanliness drives.

- **Institutional Excellence:** The *AIIMS Students Union v. AIIMS* AIR 2001 SC 3262 judgment reinforced that the prefix "fundamental" gives these duties immense constitutional weight, comparable to fundamental rights. Similarly, in *Government of India v. George Philip*, the Court ruled that a government employee deliberately overstaying a leave of absence was violating the duty to strive for excellence under Article 51A(j).

Fundamental duties are not self-executing, which means they do not automatically become enforceable unless the State makes specific laws for their implementation. In the absence of such laws, a writ like mandamus cannot be issued against an individual for failing to perform these duties. However, in certain situations—such as in *Vishaka v. State of Rajasthan* (1997) 6 SCC 241; AIR 1997 SC 3011—if the failure of one person to perform their duty results in the violation of another person's fundamental rights, the courts may provide an appropriate remedy.

- Regarding the duty mentioned in clause (a) of this article, the courts have clarified that showing proper respect to the National Anthem means standing when it is played. It is not necessary for a person to sing along, and not doing so does not amount to disrespect. Similarly, the right to freely fly the National Flag, provided it is done with respect and dignity, is consistent with the duty outlined in clause (a).

- **Secularism and Values:** In *Aruna Roy v. Union of India* AIR 2002 SC 3176., the Court upheld the National Curriculum Framework, stating that teaching universal values aligns with Article 51A (e) and does not violate secular principles.

The Need for Expansion

Over the years, judicial activism has vastly expanded the scope of Fundamental Rights. To prevent a constitutional imbalance, there is a growing argument that the list of Fundamental Duties must also evolve to reflect modern societal challenges. Potential new inclusions could mandate the duty to vote, pay taxes, assist accident victims, maintain clean premises, and protect whistle-blowers.

Conclusion and Path Forward

Fundamental Duties are an essential part of a democratic country like India, even though they are not directly enforceable by law. A democracy cannot function properly if its citizens are not willing to actively participate in governance and take responsibility for the welfare of the nation. Many of these duties have been included in separate laws and are enforceable by courts, but this does not reduce the importance of duties mentioned under Article 51A.

The term "Fundamental" highlights that these duties are as important as Fundamental Rights and are closely connected to them. Rights and duties go hand in hand and cannot be separated.

The absence of strict legal penalties does not reduce the significance of Fundamental Duties. However, due to widespread illiteracy, only a small portion of the population is aware of these duties. To improve this situation, the legislature should consider making laws that impose penalties for serious violations of Fundamental Duties.

In addition, state governments should conduct strong awareness campaigns to educate citizens about their responsibilities. The judiciary should also take a firm approach against those who neglect their duties. This will help in building a responsible society where citizens fulfil their duties before demanding their rights.

References:

1. Léon Duguit, *Law in the Modern State* (1919).
2. M.K. Gandhi, *Young India* (1925).
3. Justice R.C. Lahoti, "Fundamental Duties: A Forgotten Part of the Constitution," (Speech, 2005).
4. The Constitution (Forty-Second Amendment) Act, 1976.
5. Report of the Swaran Singh Committee (1976).
6. The Constitution (Eighty-Sixth Amendment) Act, 2002.
7. INDIA CONST. art. 51A.
8. M.P. Jain, *Indian Constitutional Law* (8th ed., LexisNexis, 2018).
9. *The Constitution of Japan*, 1947.
10. *Rural Litigation and Entitlement Kendra v. State of U.P.*, AIR 1985 SC 652.
11. V.N. Shukla, *Constitution of India* (Eastern Book Company, Latest ed.).
12. Dr. J.N. Pandey "Constitutional Law of India." Central Law Agency 62nd Addition-2025 Page No. 520.

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