

## **CHAPTER 5 ANSWERS**

1A. Tolerance means accepting that opinions of others can be different from one's own opinion and so allowing other's opinions to be expressed.

2A. According to the fundamental rights provided by the Indian Constitution, Right to Freedom of Religion is a Fundamental Right.

3A. (i) Such reservations are not against the right to equality. For equality does not mean giving everyone the same treatment, no matter what they need. Equality in real sense means giving everyone an equal opportunity to achieve whatever one is capable of.

(ii) Sometimes it is necessary to give special treatment to someone in order to ensure equal opportunity.

(iii) This is what job reservations do. Just to clarify this, the Constitution says that reservations of this kind are not a violation of the Right to Equality.

4A. Right to constitutional remedies is guaranteed under Article 32 of Indian Constitution. When any of our rights is 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. The Supreme Court and the High Court have the power to issue directions, orders or writs for the enforcement of the Fundamental Rights. They can also award compensation to the victims and punishment to the violators.

5A. It is expected from the government in a democracy to protect the citizens' rights. But sometimes elected governments may not protect or may even attack the rights of their own citizens. That is why, some rights need to be placed higher than the government, so that the government cannot violate them.

6A. In India, like most other democracies in the world, some rights are mentioned in the Constitution. These rights are fundamental to our life and therefore they are given a special status. They are called Fundamental Rights. There are six Fundamental Rights:

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

Fundamental Rights are an important basic feature of the Indian Constitution. The Preamble of the Constitution talks about securing for all its citizens' equality, liberty and justice.

Fundamental Rights put this promise into effect. They create a feeling of security amongst the minorities in the country. They keep a check on the government.

7A. Article 21 of the Constitution of India, 1950 provides that, "No person shall be deprived of his life or personal liberty except according to procedure established by law." 'Life' in Article 21 of the Constitution is not merely the physical act of breathing.

8A. Article 29 give the religious and linguistic minorities' right to establish and manage educational institutions of their own. The minorities have been given the unrestricted rights to promote and preserve their own culture. Indeed, India is a country of diverse cultural groups and she is keen to preserve her cultural diversity.

9A. Right to information Act,2005 empower any Indian citizen can seek information under the Act. (section 3 of the RTI Act)

10A. In the Indian constitution, there are 5 rights according to Article 32 that empower the Supreme court to enforce the Fundamental right of an individual. Dr. B R Ambedkar, the chairman of the Drafting committee called Art.32 The Fundamental Right to Constitutional Remedies as the heart and soul of the Indian constitution. According to this right, a person can move the Supreme Court in case of violation of their fundamental rights.

11A. This law was passed by Parliament on 15 June 2005 and came fully into force on October 12 2005. The Act has increased transparency and greater accountability in the functioning of the government and hence played a significant role in exposing and reducing corruption to some extent.

12A. The basic object of the Right to Information Act is to empower the citizens, promote transparency and accountability in the working of the Government, contain corruption, and make our democracy work for the people in real sense.

13A. The constitution of India has granted equal rights to the men and women. According to article 14 – The State shall not deny to any person equality before law or the equal protection of laws within the territory of India. And Article 15 states – State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, and place of birth or any of them. Although various efforts have been taken to improve the status of women in India, the constitutional dream of gender equality is miles away from becoming a reality

14A. Article 17 of the Indian Constitution deals with Abolition of Untouchability and its practice in any form is forbidden. The enforcement of any disability arising out of Untouchability shall be an offence punishable in accordance with law.

This Article is a crucial one as it tries to bridge the gap between the different sections of society. It tries to reinforce the principle of equality among the citizens which is an important pillar of a democracy.

15A. The Right to Constitutional Remedies allows an Indian citizen to move the court if he feels that any of his or her Fundamental Rights has been violated by the State. As the final interpreter of the Constitution, the judiciary has the power to review or even strike down any particular law passed by the Parliament if it believes that this law violates the basic structure of the constitution, which is called judicial review. In this way we find that the Right to Constitutional Remedies given in the Fundamental Rights is directly connected and supported by the idea of judicial review.