

**Important Articles**

**Part I**

**Union and its Territories (Article 1-4)**

1. The Constitution says, "India, that is Bharat, shall be a Union of States".
2. Admission or establishment of new States.
3. The Constitution empowers the Parliament to form new States and to alter the areas, boundaries or names of existing States.

**Note** *Through J & K Reorganisation Act of 2019, the state of Jammu and Kashmir was divided into two Union Territories i.e. Union Territory of Ladakh and the Union Territory of Jammu and Kashmir.*

**Part II**

**Citizenship (Article 5-11)**

The Citizenship Act of 1955 prescribes five ways to acquire citizenship of India

1. By birth
2. By descent
3. By registration
4. By naturalisation
5. By incorporation

**Three modes of losing citizenship**

1. Renunciation
2. Termination
3. Deprivation

Through Citizenship (Amendment) Act 2019 members of Hindu, Sikh, Buddhist, Jain, Parsi and Christian religions minorities from Afghanistan, Bangladesh and Pakistan who entered India before 31st December, 2014 will be given Indian citizenship.

**Part III**

**Fundamental Rights (Article 12-35)**

*Rights to Equality (Article 14-18)*

- Equality before Law (Article 14).

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- Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth.(Article 15)
- Equality of opportunity in matters of public employment. (Article 16)
- Abolition of untouchability (Article 17).
- Abolition of titles. (Article 18)

*Rights to Freedom (Article 19-22)*

- Protection of certain rights regarding; Speech and expression, assembly, association, movement, residence, and profession (Article 19)
- Protection in respect of conviction for offences. (Article 20)
- Protection of life and personal liberty (Article 21).
- Protection against arrest and detention in certain cases (Article 22).

*Right to Education*

Article 21A states that the state shall provide free and compulsory education to all children of the age of 6-14 years.

*Rights against Exploitation (Article 23-24)*

- Prohibition of human trafficking and forced labour (Article 23).
- Prohibition of employment of children in any factories, etc (Article 24).


*Rights to Freedom of Religion (Article 25-28)*

- Freedom of conscience and right to profess, practice and propagate one's religious beliefs. (Article 25).
- Freedom to manage religious affairs (Article 26).
- Freedom from taxation for promotion of any particular religion (Article 27).
- Freedom from attendance of religious instructions or religious worship in certain educational institutions (Article 28).

*Cultural and Educational Rights*

- Protection of interest of minorities (Article 29).

→ Right of minorities to establish and administer educational institutions (Article 30).



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**Freedom of Press** is implicit in Article 19. Article 20 and 21 cannot be suspended even during a National Emergency. (Article 352)

**Right to Property** under Article 19 (1) (f) was repealed by the 44th Amendment Act, 1978, and was made a legal right under Article 300A.

#### *Rights to Constitutional Remedies*

- Right to move to the Supreme Court (Article 32) and the High Courts (Article 226) in case of violation of the Fundamental Rights BR Ambedkar called Article 32 as the **Heart and Soul of the Constitution**.
- 5 Writs of habeas corpus, mandamus, prohibition, certiorari and quo-warranto can be issued under this.

#### **Types of Writs**

Writ	Meaning	Intended Purpose
Habeas Corpus	You may have the body	To release a person who has been detained unlawfully whether in prison or in private

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		custody.
Mandamus	We Command	To secure the performance of public duties by lower court, tribunal or public authority.
Certiorari	To be certified	To quash the order already passed by an inferior court, tribunal or quasi judicial authority.
Prohibition	The act of stopping something	To prohibit an inferior court from continuing the proceedings in a particular case where it has no jurisdiction to try.
Quo Warranto	What is your authority	To restrain a person from holding a public office to which he is not entitled.

**Part IV**

**Directive Principles of State Policy (Article 36-51)**

Directive principles are broad guiding principles that the state shall keep in mind while formulating policies and enacting laws. These are non-justiciable in nature *Articles 36-37* Definition and application of the principles contained in this part.

*Article 38:* To secure and protect a social order, which stands for the welfare of the people.

*Article 39:* Certain principles of policy to be followed by the State.

*Article 40:* To organise village Panchayats as units of self- government.

*Article 41:* Right to work, to education and to public assistance in certain cases.

*Article 42:* To secure just and humane conditions of work and maternity relief.

*Article 43:* Living wage etc for workers, to promote cottage industries.

*Article 44:* Uniform Civil Code for the citizens.

*Article 45:* Provision of early childhood care and education to children below the age of 6 years.

*Article 46:* To promote the educational and economic interests of the weaker sections of the people, especially the Scheduled Castes and Scheduled Tribes.

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*Article 47:* Improvement of public health and the prohibition of intoxicating drinks and drugs.

*Article 48:* Organisation of agriculture and animal husbandry on modern lines.

*Article 49:* To protect all monuments of historic interest and national importance.

*Article 50:* To bring about the separation of the judiciary from the executive. *Article 51* Promotion of international peace and security.

**Part IV (A)**

**Fundamental Duties (Article 51A)**

It was inserted by the **42nd Amendment Act in 1976** on the recommendations of Swaran Singh Committee it was inspired by the Constitution of erstwhile USSR It shall be the duty of every citizen of India

- a. to abide by the Constitution and respect its ideals and institutions, the National Flag and the National Anthem.

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- b. to cherish and follow the noble ideals which inspired our national struggle for freedom.
- c. to uphold and protect the sovereignty, unity and integrity of India.
- d. to defend the country and render national service, when called upon to do so.
- e. )to promote harmony and the spirit of common brotherhood amongst all the people of India, transcending religious, linguistic and regional or sectional diversities; to renounce practices derogatory to the dignity of women.
- f. to value and preserve the rich heritage of our composite culture.

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- g. to protect and improve the natural environment including forests, lakes, rivers and wildlife and to have compassion for living creatures.
- h. to develop scientific temper, humanism and the spirit of enquiry and reform.
- i. to safeguard public property and to abjure violence.
- j. to strive towards excellence in all spheres of individual and collective activity, so that the nation constantly rises to higher levels of endeavour and achievement.

The **86th Amendment Act, 2002** inserted Article 51A (K), "each parent or guardian to provide opportunities for education to his child or ward between the age of 6 and 14 years."

