

## Importance of Fundamental Rights and Its Impacts on Physical, Intellectual, Ethical, and Spiritual Growth

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**ABSTRACT:** In order for all citizens to live their lives in harmony and peace, civil freedoms are guaranteed by the Fundamental Rights any country, which plays important role in psychology of citizens. These rights, which are known as basic rights and are safeguarded by the fundamental law of the state, the constitution, are the most important for all-round development, including physical, intellectual, ethical, and spiritual growth. The problem arises due people being denied their legal right to exercise their rights to free speech and movement constitutes a violation of human rights. Hence this paper focuses on the importance of basic fundamental right of people in Indians life and constitution. It concluded that along with ensuring that not just members of wealthy classes, castes, and communities are treated with respect, equality, and freedom of all types, these rights also aim to improve the quality of human existence for all people. In future, People need all rights because they can shield us from harm in times of complexity and hardship and help us develop into moral beings.

**Keywords:** physical, intellectual, ethical, spiritual growth, Rights.

### 1. INTRODUCTION

The rights granted by Articles 12 to 35 of Part III of such Indian Constitution are known as fundamental rights. As their name implies, fundamental rights are one of the most crucial means for preserving and protecting human individuality and decency, which helps to advance society as a whole [1], [2]. Since these are guaranteed rights, anyone may confront the Supreme Court for the administering or prosecution of those privileges that are violated or interfered with by the other. These rights are given the condition of being fundamental or predominant because of their own absolute and restrictive nature, which means that they are created in such a way that they are not modified, infringed, or interfered with by an abusive government or individual. With the two-point system, fundamental rights are firmly established. The first point stipulates that these equitable rights of people are imposed by legal processes in opposition to the repressive activities of the government [3], [4].

From a different angle, these rights are governed by some constraints and controls on the acts of the government. And, as a result, the government is prohibited from taking any corrective action that might result in the violation of fundamental rights, whether it be administrative or legislative in character. Part III of an Indian Constitution, which was enacted on November 26, 1949 but came into effect on January 26, 1950, enshrines fundamental rights. These fundamental rights were incorporated into the constitution because they were seen to be essential for the growth the each and every individual [5], [6]. They ensure that every citizen of this country may live a life of peace and harmony across the territory of India. All people have the right to file a case with the Supreme Court or the Supreme Court to have their rights upheld, regardless of their race, religion, caste, or sexual orientation. The Indian Constitution's Articles 12 through 35 cover these fundamental rights, which are grouped into seven categories.

#### 1.1. Importance of Fundamental Rights:

Originally called as basic human rights, fundamental rights are currently governed by the Indian constitution and recognized as unique rights for the people. By joining together to form a community that upholds these rights, the people are better able to see the value of each individual member, work together, and modify their behavior accordingly, preserving friendly relationships with one another. These rights have both legal and educational importance, as stipulated by the constitution, which aids in the protection, respect, acceptance, and fulfillment of the rule of law by the populace [7], [8]. Additionally, they promote people' equality and dignity while bearing in mind the nation's unity and integrity. They not only safeguard minority communities, castes, regions, and religious groups and uphold fundamental civil, political, social, and economic rights and freedoms, but they also

do away with all forms of discrimination and promote equality. They also perform significant duties. These rights are a component of the constitution's fundamental structure and cannot be restricted, limited, or tampered with by any laws, clauses, or amendments that are part of the constitution. If this occurs, the legislation in question will be ruled unconstitutional and therefore will not be subject to the rules. Being opposed to the Constitution will result in zero [9],[10].

Individual rights, sometimes known as basic rights, are understood to remain unaffected by any common law or rule since they are essential to the functioning of modern constitutional democracy. In addition to advancing individuals and society, these fundamental rights are necessary to safeguard citizens against excesses or breaches by the state, which is seen as the primary offender of human rights. Fundamental rights are always intended to enable every human being fully develop his or her character by establishing specific circumstances that may both safeguard and assure that person's dignity. Despite the fact that they load the state with an unpleasant obligation, namely not to interfere with individual liberty in all of its manifestations, they serve as the foundation or source of the idea of human rights.

They are absolutely necessary for every accomplishment the person makes in terms of his entire intellectual, moral, and spiritual health. The primary goal about including fundamental rights into the Indian Constitution was to create a government of law rather than of man. This was done because under the authority of man, society would be chaotic and out of control, but under the rule of law, there could be peace and harmony. Justice and equality must be ensured in order for society to be sustained. Fundamental rights are crucial for ensuring the overall development of people and the nation because they not only safeguard liberty but also citizens' rights to a dignified existence and personal freedom against any state intrusion. As a result, these freedoms inhibit or thwart the institution of an authoritarian and antidemocratic government in the nation.

## 2. DISCUSSION

The fundamental rights were regarded as one of, if not the most, significant provisions in the Indian Constitution. These liberties have their roots in the Declaration of something like the Bill of Rights of Man, the Bill of Rights of England, the Development of both the Irish Constitution, and the Bill of Rights of both the United States of America's Constitution.

### 3.1. Features of Fundamental Rights:

The following characteristics of the fundamental rights protected by the Indian constitution show their distinctiveness: Some of the fundamental rights are solely available to Indian citizens, while others are open to everyone, including both domestic and international residents as well as businesses and corporations. These rights are conditional and not absolute since the state may set justifiable limitations on them. The Supreme Court of India is responsible for protecting and guaranteeing these fundamental rights, thus anybody who feels they have been violated may file a direct petition with the Supreme Court. These rights, with the exception of those covered by Articles 20 and 21, may be suspended while a National Emergency is in effect. When a military rule is established in unusual circumstances to restore order, which is fundamentally different from declaring a national emergency, the applicability of these rights may be curtailed (Article 34). The implementation of these rights may be limited or repealed by the parliament (Article 33), and this Article may also limit the rights of the military forces, police, intelligence services, and other organizations.

### 3.2. Introduction to Six Fundamental Rights:

#### 3.2.1. Right to Equality:

Legal rights are guaranteed for everyone under the right to equality, regardless of race, gender, caste, or place of birth. It safeguards against discriminating by the state in terms of employment on the basis of caste, religion, etc. and provides equitable job opportunities inside the government. This right involves the removal of untouchability and title.

#### 3.2.2. Right to Freedom:

One of the most essential concepts that any democratic society cherishes is freedom. The residents of India are guaranteed their right to freedom. The right to liberty includes a variety of rights, including the freedom of speech, the liberty of association, the liberty to engage in any profession, and the freedom to live anywhere in the country. Some of these rights, as well as some aspects of state security, are subject to limitations based on public morals and decency as well as on friendly relations with other nations. This indicates that the government has the authority to place the necessary limitations on them.

### 3.2.3. *Right against Exploitation:*

The prohibition of human trafficking, forced labor, and other types of forced labor are covered by this right. Additionally, it suggests that minors are not allowed in workplaces, etc. Children under the age of 14 are not allowed to work in dangerous situations, according to the Constitution.

### 3.2.4. *Right to Freedom of Religion:*

This demonstrates how secular Indian politics are. Every faith is treated equally. Conscience, profession, practice, and spread of religion are all free. The government has no recognized religion. Everyone has the freedom to practice their faith openly and to create and support charity and religious organisation. According to Article 25 of the Indian Constitution, everyone has the same right to religious freedom, including the freedom to profess, practice, and spread any religion. All people, including Indian nationals and citizens of any other country now present in India, are entitled to these rights[11],[12].

Article 26 of the Indian Constitution, which guarantees every individual's rights to religious denominations, states that every person has the freedom to govern religious matters. In other words, Article 26 safeguards the collective freedom of religion. The rights outlined in Articles 25 and 26 are both constrained by public morals, health, and order, but they are not constrained by other articles relating to fundamental rights. The right to be free from taxation for the purpose of promoting religion is protected by Article 27 of the Indian Constitution, which states that no one shall be required to pay taxes for the purpose of promoting or maintaining any religion or religious denomination. To put it another way, the state shall not use tax revenue for the purpose of promoting or maintaining any religion. No religious teaching shall be offered in any educational institution that is entirely supported by State monies, according to Article 28 of the Indian Constitution. However, this clause does not apply to state-run institutions that were founded under a trust or endowments and that must give religious education.

### 3.2.5. *Cultural and Educational Rights:*

By helping them to maintain their history and culture, these rights defend the rights for linguistic, cultural, as well as religious minorities. Education for all people without prejudice is guaranteed under educational rights.

### 3.2.6. *Right to Constitutional Remedies:*

When people's basic rights are infringed, the Constitution provides remedies. No one's rights may be restricted or infringed upon by the government. The party that has been wronged may file a lawsuit in court if these rights are infringed. The Supreme Court, which can issue writ of mandamus for the enforcement of Fundamental Rights, may also be directly approached by Citizens. A resident of India has the right to remedies under Article 32 of the Indian Constitution for the enforcement of their basic rights. As a result, the fundamental rights are now upheld in legal proceedings. The aforementioned explanation explains why Dr. BR Ambedkar referred to Provision 32 as the Indian Constitution's "heart and soul" and as the most significant article. All other rights are made valid in nature by Article 32.

Additionally, the Supreme Court determined that Article 32 is a fundamental component of the Indian Constitution. It also includes the following four clauses: the ability to petition India's Supreme Court to have one's fundamental rights upheld. The Supreme Court's authority to issue writs, directives, or orders to enforce these basic rights. The writs that may be issued include quo-warrant, mandamus, prohibition, and habeas corpus. Any other court may be authorized by the parliament to issue directives, orders, and writs of every description. Because they already have these powers granted by article 226 of the Indian Constitution, High Courts are not considered to be any additional courts under this clause. Except as expressly allowed by the Supreme Court, the right to petition the Indian Supreme Court cannot be suspended.

## 4. CONCLUSION

The basic rights were deemed to be necessary for the personality development of each and every individuals and were incorporated in the Constitution to uphold human dignity and respect. The majority of these rights have language that makes them actionable against the state, but some of them have direct enforcement potential against both the state and a person. The fact that the basic rights provide the judiciary with precise guidelines on how to regulate relations between citizens and government is one of the most significant features of these rights. People are free to enjoy their lives and personal liberties, migrate from one area of the country to another, congregate peacefully, etc. since these rights exist and can be upheld in court. The wording or phrases chosen to establish these essential rights, however, have drawn criticism since many people find them to be ambiguous or

because the Constitution of India doesn't define them elsewhere. This group includes expressions like "public order," "minorities," and others. The basic rights were incorporated into the Constitution because they were seen to be essential for the personality development of every person as well as to uphold human dignity and respect. The bulk of these rights have language-based means of enforcement against the state, but some have direct means of enforcement both against the state and a person.

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