



ADDITIONAL DATA

Interim Government (1946) (Cong + ML)

- | | | |
|-----|--------------------------|---|
| 1. | Jawaharlal Nehru | External Affairs & Commonwealth Relations |
| 2. | Sardar Vallabhbhai Patel | Home, Information & Broadcasting |
| 3. | Dr. Rajendra Prasad | Food & Agriculture |
| 4. | Dr. John Mathai | Industries & Supplies |
| 5. | Jagjivan Ram | Labour |
| 6. | Sardar Baldev Singh | Defence |
| 7. | C.H. Bhabha | Works, Mines & Power |
| 8. | Liaquat Ali Khan | Finance |
| 9. | Abdur Rab Nishtar | Posts & Air |
| 10. | Asaf Ali | Railways & Transport |
| 11. | C. Rajagopalachari | Education & Arts |
| 12. | I.I. Chundrigar | Commerce |
| 13. | Ghaznafar Ali Khan | Health |
| 14. | Joginder Nath Mandal | Law |

ML

First Cabinet of Free India (1947) → Cong.

<i>Sl. No.</i>	<i>Members</i>	<i>Portfolios Held</i>
1.	Jawaharlal Nehru Sardar	Prime Minister; External Affairs & Commonwealth Relations; Scientific Research

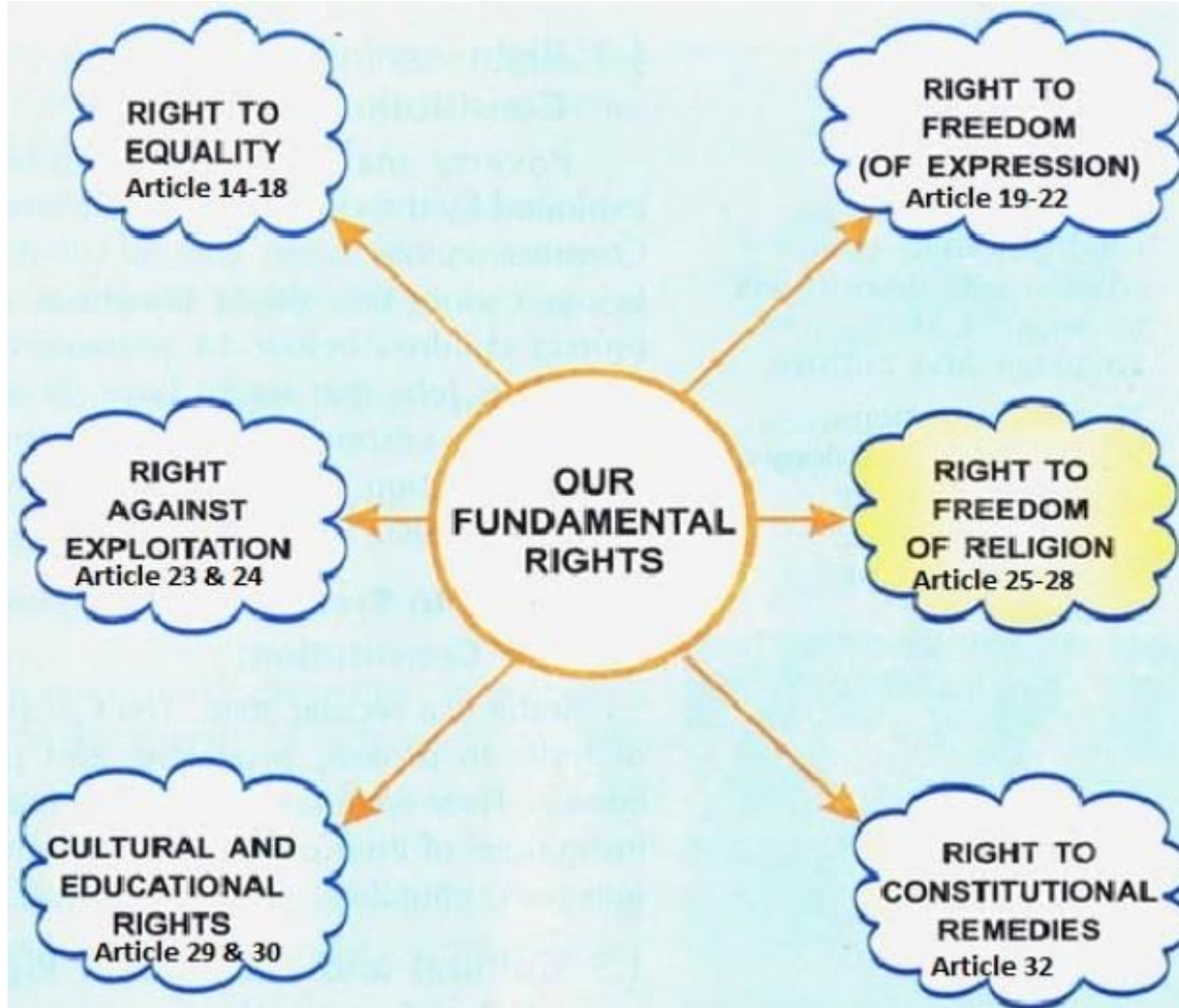
- | | | |
|-----|---------------------------|--|
| 2. | Vallabhbhai Patel | Home, Information & Broadcasting; States |
| 3. | Dr. Rajendra Prasad | Food & Agriculture |
| 4. | Maulana Abul Kalam Azad | Education |
| 5. | Dr. John Mathai | Railways & Transport |
| 6. | R.K. Shanmugham Chetty | Finance |
| 7. | Dr. B.R. Ambedkar | Law |
| 8. | Jagjivan Ram | Labour |
| 9. | Sardar Baldev Singh | Defence |
| 10. | Raj Kumari Amrit Kaur | Health |
| 11. | C.H. Bhabha | Commerce |
| 12. | Rafi Ahmed Kidwai | Communication |
| 13. | Dr. Shyam Prasad Mukherji | Industries & Supplies |
| 14. | V.N. Gadgil | Works, Mines & Power |

1st woman min. of Ind. India.

Fundamental Rights



Features
of
FR.



The Fundamental Rights are enshrined in Part III of the Constitution from Articles 12 to 35.

In this regard, the framers of the Constitution derived inspiration from the Constitution of USA (i.e., Bill of Rights).

Originally, the Constitution provided for seven Fundamental Rights-

- 1. Right to equality (Articles 14–18)**
- 2. Right to freedom (Articles 19–22)**
- 3. Right against exploitation (Articles 23–24)**

- 4. Right to freedom of religion (Articles 25–28)**
- 5. Cultural and educational rights (Articles 29–30)**
- 6. Right to property (Article 31) ✓**
- 7. Right to constitutional remedies (Article 32)**

However, the right to property was deleted from the list of Fundamental Rights by the 44th Amendment Act, 1978.

It is made a legal right under Article 300-A in Part XII of the Constitution. So at present, there are only six Fundamental Rights.

Features of Fundamental Rights:

1. Some of them are available only to the citizens.

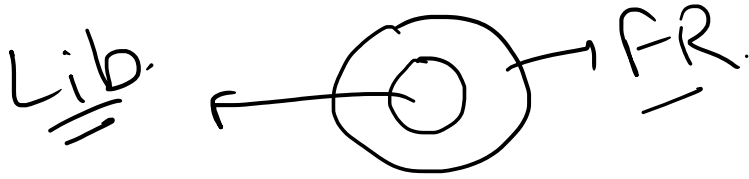
Art. 21
Citizens
Alien
Foreign (friendly)

2. They are not absolute but qualified. The state can impose reasonable restrictions on them.

A

C

B



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3.

They are justiciable, allowing persons to move the courts for their enforcement, if and when they are violated.

← Freedom

(v/s)

← Liberty

एव एव एव

4.

They are defended and guaranteed by the Supreme Court.

(Art. 32)

→ Art. 226 ⇒ (HC)

Freedom + Law
= Liberty

5.

They can be suspended during the operation of a National Emergency except the rights guaranteed by (Articles 20 and 21.) ~~22~~

Art. 352
↳ Nat. Emergency

6.

Their application to the members of armed forces, para-military forces, police forces, intelligence agencies and analogous services can be restricted or abrogated by the Parliament (Article 33).

7.

Their application can be restricted while martial law is in force in any area.

Martial law means 'military rule' imposed under abnormal circumstances to restore order (Article 34). It is different from the imposition of national emergency.

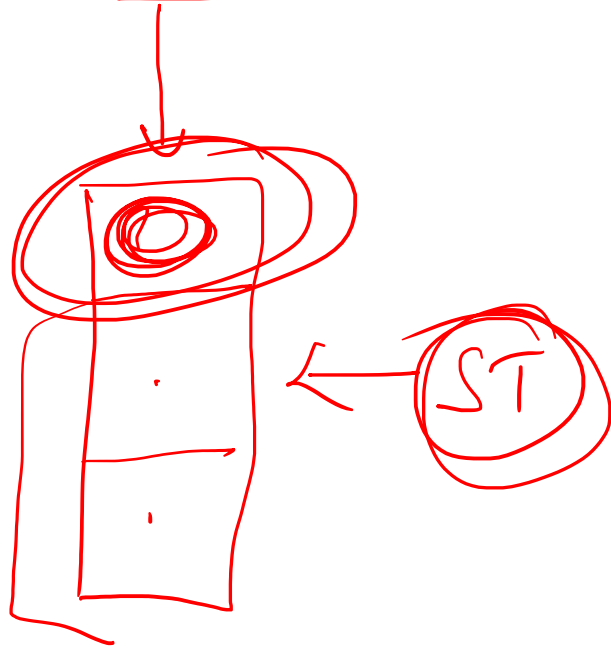
→ No mention in Ind. Const. ⇐

Category	Consists of
<p>⑤</p> <p>1. <u>Right to equality</u> (Articles 14-18)</p>	<p><i>British</i></p> <p>(a) Equality before law and equal protection of laws (Article 14). <i>USA</i></p> <p>(b) Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth (Article 15).</p> <p>(c) Equality of opportunity in matters of public employment (Article 16).</p> <p>(d) Abolition of untouchability and prohibition of its practice (Article 17).</p> <p>(e) Abolition of titles except military and academic (Article 18).</p>

Excep. ⇒

Art - 105
⇒ MP

Reservation in Edu & Jobs \Rightarrow True Action



\rightarrow Indira Sahni Case

Art - 18 ⇒ Abolition of
Titles

= National Awards
① B.R. + 3 Padmas
→ 1954 ✓
→ 1978 (Dejai ✗)
→ 1980 ✓

→ Hereditary → Titles
(X)

19(1)(a)

(a) Protection of six rights regarding freedom of: (i) speech and expression, (ii) assembly, (iii) association, (iv) movement, (v) residence, and (vi) profession (Article 19).

(b) Protection in respect of conviction for offences (Article 20).

(c) Protection of life and personal liberty (Article 21).

(d) Right to elementary education (Article 21A).

(e) Protection against arrest and detention in certain cases (Article 22).

2. Right to
freedom
(Articles
19-22)

4

6-14 yrs

= [Double Jeopardy
= [Ex Post Facto Law
 └ ONLY in Criminal Cases (X)
 └ Civil Cases (✓)

3. Right
against
exploitation
(Articles
23–24)

(a) Prohibition of traffic in human beings and forced labour (Article 23).

(b) Prohibition of employment of children in factories, etc. (Article 24).

Not to convert

4. Right to
freedom of
religion
(Article 25–
28)

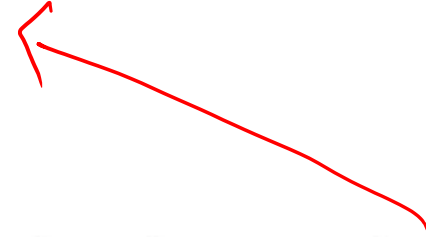
↖ (a) Freedom of (conscience) and free profession, practice
and propagation of religion (Article 25).

(b) Freedom to manage religious affairs (Article 26).

(c) Freedom from payment of taxes for promotion of any
religion (Article 27).

(d) Freedom from attending religious instruction or
worship in certain educational institutions (Article 28).]

6



5. Cultural and
educational
rights
(Articles
29–30)

- (a) Protection of language, script and culture of minorities
(Article 29).
- (b) Right of minorities to establish and administer
educational institutions (Article 30).