



**renaissance**

college of commerce & management

**Class-B.A. (Hons.) Mass communication III Year**

**Sub.: Indian Constitution & Media Law**

## **SYLLABUS**

**Class – B.A. (Hons.) Mass Communication III Year**

**Subject: Indian Constitution & Media Law**

UNIT – I	Salient features of Indian constitution
UNIT – II	Fundamental Rights Fundamental duties



## UNIT-I

### Salient Features of Indian Constitutions

- 1) **Longest Constitution** – Indian constitution is the longest written constitution, consist of 395 articles and 12 schedules. It's basic framework is taken from British Constitution.
- 2) **Sovereignty** – It declares the country as a sovereign state. It means there will be no foreign interruption in the nation's affairs.
- 3) **Socialistic approach** – India is a socialist and secular country. These words are added in the preamble by 42<sup>nd</sup> amendment.
- 4) **Democracy** – The concept of democracy, i.e. “for the people, of the people by the people” is mentioned in it.
- 5) **Mixture of Rigidity & Flexibility** – The Indian constitution is partly rigid & partly flexible. Flexibility means some parts of it could be amended easily by simple majority of votes. But some parts are difficult to be amended.
- 6) **A republic** – The constitution declare India to be a republic country. It means the highest official post of the country, i.e. the president, is not a hereditary post and he is elected for a fixed term.
- 7) **Parliamentary system** – The Indian parliamentary system is based on British parliamentary system. In this system, the execution is responsible to the legislature, it remains in power only as long & it enjoys the confidence of the legislature. The executive head is Prime Minister While actual head in president.
- 8) **A Federation** – India is a union of states. State is federal when there is two sets of government & the powers are distributed between them. The judiciary is independent which settles disputes between the centre & the states.
- 9) **Single Citizenship** – The Indian constitution recognizes single citizenship. It is either by birth or could also be earned in some special conditions, mentioned in details in the constitution. This provision promotes unity & integrity of the nation.
- 10) **Fundamental rights** – These are mentioned in the part III of the constitution and are described in details from article 12-35. These are adopted from the constitution of United States of America.
- 11) **Fundamental duties** – These are adopted from the constitution of the then USSR & they are mentioned in the article 51(A).
- 12) **Concept of directive principle:** These are mentioned in part IV, from article no 36-51. They are adopted from constitution of Ireland.



**renaissance**

college of commerce & management

**Class-B.A. (Hons.) Mass communication III Year**

**Sub.: Indian Constitution & Media Law**

13) **Adult Franchise** – It means every adult citizen of India can cast the vote in the elections. Balance between judiciary and parliamentary supremacy.

renaissance  
renaissance  
renaissance



## UNIT II

### Fundamental Rights -

The fundamental rights are the most important part of Indian constitution which are mentioned in part III. There are initially seven fundamental rights but the "Right to property" was removed from the list by 44<sup>th</sup> amendment (1978). Hence right now there are six fundamental rights. They are determined by a committee which was head by Sardar Vallabh Bhai Patel.

By 86<sup>th</sup> amendment the right to education also became a fundamental right according to it Free & compulsory education will be a fundamental right for the children from 6-14 years are group.

### The basic fundamental rights are as follows -

**Right to equality** - this is most important right which are mentioned from article 14-18. They are as follows.

- Article 14 - Equality before law and equal protection of law
- Article 15 - Prohibition of discrimination on grounds only of religion, race, caste, sex or place of birth
- Article 16 - Equality of opportunity in matters of public employment
- Article 17 - End of untouchability
- Article 18 - Abolition of titles, Military and academic distinctions are, however, exempted.

### Right of Freedom -

- Article 19 - It guarantees the citizens of India the following six fundamentals freedoms -
  1. Freedom of speech and expression.
  2. Freedom of assembly
  3. Freedom of form associations
  4. Freedom of movement
  5. Freedom of Residence and settlement
  6. Freedom of profession, occupation, trade and business.
- Article 20 - Protection in respect of conviction for offences
- Article 21 - Protection of life and personal liberty
- Article 22 - Protection against arrest and detention in certain cases

### Right against Exploitation -

- Article 23 - Traffic in human beings prohibited
- Article 24 - No child below the age of 14 can be employed.

### Right to Freedom of Religion -

- Article 25 - Freedom of conscience and free profession, practice and propagation of religion
- Article 26 - Freedom to manage religious affairs
- Article 27 - Prohibits taxes on religious grounds.
- Article 28 - Freedom as to attendance at religious ceremonies in certain educational institutions



**Cultural and Educational Rights -**

- Article 29 - Protection of interests of minorities
- Article 30 - Right of minorities to establish and administer educational institutions
- Article 31 - Omitted by the 44<sup>th</sup> Amendment Act

**Right to Constitutional Remedies -**

- Article 32 - The right to move the Supreme Court in case of their violation
- Forms of Writ check
- Habeas Corpus - Equality before law and equal protection of law.

**Fundamental Duties -**

The fundamental duties are that code of conduct for every Indian citizen which is necessary for the stability and prosperity of the state. They are added in Indian Constitution by the 42<sup>nd</sup> constitutional amendment in 1976. They are described in article 51(A). The concept of fundamental duties is adopted from Russian constitution. According to it -

It shall be 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;
- 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;
- g) To protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for living creatures;
- h) To develop the scientific temper, humanism and the spirit of inquiry 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 endeavor and achievement.