

CONCEPTS:

What are Rights?

Rights are reasonable claims of persons recognised by society and sanctioned by law

Rights in a Democracy

Rights are a must to ensure the dignity, security and fair play to all the citizens.

Democracy is a system in which maximum rights are guaranteed to its citizens

Why do We Need Rights in a Democracy?

Rights sustain a democracy.

They give to every citizen a right to vote and the right to be elected to government.

They allow citizens to express their views freely, form parties and take part in political activities.

Rights are guarantees when things go wrong. They do not allow the majority to dominate the minority.

Some rights are placed higher than the government, so that the government does not violate them.

Rights in the Indian Constitution

The Indian Constitution has given us six Fundamental Rights. They are the basic features of India's Constitution.

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

Right to Equality: It grants equality to all its citizens in the eyes of law. No discrimination can be made against any citizen on grounds of birth, caste, religion and gender.

Untouchability is made a cognisable offence. Equal opportunity is guaranteed to all the citizens.

□ **Right to Freedom:** It grants (i) freedom of speech and expression, (ii) freedom to assemble in a peaceful manner, (iii) freedom to form associations, (iv) freedom to move freely in any part of the country, (v) freedom to reside in any part of the country and (vi) practice any profession, carry out any occupation or trade.

□ **Right against Exploitation:** The constitution prohibits (i) "traffic in human beings", (ii) Prohibits forced labour or beggar and (iii) prohibits child labour.

Right to Freedom of Religion: There is no state religion in India. All religions are given equal respect. Every person has a right to profess, practice and propagate his own religion.

Cultural and Educational Rights: Minorities have the right to conserve their language and culture. They have the right to establish their own educational institutions.

NATIONAL HUMAN RIGHTS COMMISSION (NHRC)-

- It is an independent commission set up by law in 1993 .
- The commission is appointed by the President and includes retired judges , officers and eminent citizens .
- But it does not have the burden of deciding court cases.
- It focuses on helping the victims secure their human rights.

- The NHRC can not by itself punish the guilty .It makes inquiry into any case of violation human rights and takes other general steps to promote human rights in country.

Right to Constitutional Remedies: This is the right that makes all rights effective. If a citizen's fundamental rights are violated or taken away, he/she can seek remedy through courts.

National Human Rights Commission is an independent organisation established in 1993.Its main work is to focus on human rights and help the victims, whose rights are violated.

Expanding Scope of Rights

The Constitution offers scope to expand the Fundamental Rights. Examples:

- (i) School education has become a right for Indian citizens. (ii) Right to property is a legal right.
(iii) Right to seek information from government offices. (iv)Right to vote in elections.

International Covenant on Economic, Social and Cultural Rights

This international covenant recognises many rights. Examples (i) Right to work (ii) Right to safe and healthy environment (iii) Right to adequate standard of living (iv)Right to social security and insurance (VI) Right to health and medical care, etc.

□The South African Constitution Guarantees

Right to privacy, Adequate housing, Right to access to health care, Sufficient food and water.

MULTIPLE CHOICE QUESTIONS [1 MARK]

Q.1 What was the reason given by America for imprisoning people at Guantanamo Bay?

- (a) They had been caught spying.
(b) They were planning to kill the US President.
(c) They were planning to set up a Communist government in USA.
(d) America considered them as enemies and linked them to the attack on New York on 11thSeptember, 2001.

Q.2.Which body exposed to the world that prisoners at Guantanamo Bay were being tortured in ways that violated the US laws?

- (A) United Nations (b) International Court of Justice(c) Amnesty International (d) Supreme Court of USA

Q.3.Which of these options is not correct regarding Saudi Arabian political system?

- (a) The king selects the executive, legislature and judiciary (b) Citizens cannot form political parties
(c) There is no freedom of religion (d) none of the above

Q.4.What is the position of women in Saudi Arabia?

- (a) Women are given all the rights (b) Women are given equal status with men
(c) Women are subjected to many public restrictions (d) They are offered high positions

Q.5.What was Milosevic's attitude towards the Albanians?

- (a) His government was hostile to the Kosovo Albanians (b) He wanted to bring equality between Serbs and Albanians
(c) He wanted Serbs to dominate the Albanians (d) Both (a) and (c)

Q.6. How was the massacre of Albanians finally stopped?

- (a) The UN ordered for Milosevic's arrest (b) Several countries intervened to stop the massacre
- (c) The Serbs turned against Milosevic (d) Milosevic reformed himself

Q.7.What is meant by 'rights'?

- (A) One's demand to get everything without sharing with others
- (b) Claims of a person over other fellow beings, society and the government
- (c) Not possessing any freedoms (d) none of the above

Q.8.Which of these statements about the relationship between democracy and rights is more valid?

- (a) Every country that is a democracy gives rights to its citizens
- (b) Every country that gives rights to its citizens is a democracy
- (c) Giving rights is good, but it is not necessary for a democracy
- (d) All the above

Q.9.Under which Fundamental Right has the Parliament enacted a law giving the Right to Information to the citizens?

- (a) Right to freedom of religion (b) Right to freedom of thought and expression
- (c) Right to freedom of equality (d) Right to constitutional remedies

Q.10.Which of these is/are the new rights guaranteed by the constitution of South Africa for its citizens?

- (a) Right to privacy (b) Right to an environment that is not harmful to the people's health
- (c) Right to have access to adequate housing (d) All the above

Q.11.The right to seek the enforcement of all Fundamental Rights is called:

- (a) Right against Exploitation (b) Right to Freedom
- (c) Right to Constitutional Remedies (d) Cultural and Educational Rights

Q.12. If our Fundamental Rights are violated, where can we seek the remedy?

- (a) Supreme Court or High Courts (b) Parliament
- (c) Election Commission (d) Council of Ministers

Q.13.What did Dr. Ambedkar refer to the 'Right to Constitutional Remedies' as?

- (a) The brain of our Constitution (b) The heart and soul of our Constitution
- (c) The heart of our Constitution (d) the soul of our Constitution

Q.14.What is meant by the term 'writ'?

- (a) Written laws (b) A formal document containing an order of the court to the government
- (c) Basic features of the Constitution (d) none of the above

Q.15. When was the NHRC set up?

- (a) 1998 (b) 1996 (c) 1993 (d) 2001

Q.16. How many Fundamental Rights does the Indian constitution provide?

- (a) 7 (b) 6 (c) 5 (d) 8

Q.17Which of the following terms is correct for the feature of the Indian constitution

stating that no person is above the law?

- (a) State of law (b) Application of law (c) Rule of law (d) Governance by law

Q.18. What does 'Right to Equality' say about the public jobs?

- (a) Jobs will be provided to all by the government (b) Jobs will be reserved for the more meritorious students
(c) All citizens will be provided with equal opportunity in matters of employment (d) None of the above

Q.19. What does the Constitution say about the practice of untouchability?

- (a) It stands abolished (b) Its practice in any form is punishable by law
(c) Since it is an age-old custom, it should be respected (d) Both (a) and (b)

Q.20. Which of these is false regarding the Freedom of Speech and Expression?

- (a) Everyone has a right to think differently (b) One may disagree with a policy of the government
(c) One can use it to incite people against the government (d) One is free to criticise the government

Q.21. Which of these rights is/are provided to a person arrested by the government or police?

- (a) To be informed of the reasons of his arrest
(b) To be produced before a magistrate within 24 hrs of his arrest
(c) To engage a lawyer for his defence (d) All the above

Q.22. One of the forms of exploitation as mentioned in the constitution is 'traffic'. What does it mean?

- (a) Transport system (b) Buying and selling of human beings
(c) Buying and selling of goods (d) none of the above

Q.23. What is meant by 'begar'?

- (a) Practice of begging (b) Practice of forcing workers to work without any wages
(c) Practice of encouraging workers to work at normal wages (d) Both (b) and (c)

Q.24. Laws have been made to prohibit children from working in which of these industries?

- (a) *Beedi* making (b) Fire crackers and matches (c) Printing and dyeing (d) All the above

Q.25. Which of the following freedom is not available to an Indian citizen?

- (a) Freedom to start a movement to change the government (b) Freedom to oppose the government
(c) Freedom to participate in armed revolution (d) None of these

Q.26. Which among the following cannot be challenged in a court?

- (a) Directive principles of state policy (b) Fundamental Rights

(c) Freedom to choose any profession or business (d) Right to move freely to any part of the country.

Q.27. Cultural and Educational Rights are safeguarded mainly for:

- (a) Women (b) minorities (c) children (d) Men

Q.28. Which of the following is not a Fundamental Right?

- (a) Right to Freedom (b) Right to Vote (c) Right to Equality (d) None of these

Q.29. Which of the following rights is not available under the fundamental rights?

- (a) Right to Equality (b) Right to Freedom (b) Right to protect one's culture (d) Right to property.

Q.30. India is a secular state. What does the word 'secular' mean?

- (a) The state gives protection to the Hindu religion (b) The state allows only the majority to propagate their religion
(c) The state has no religion of its own (d) none of the above.

Q.31. Civil Rights are given to the individual by:

- (a) Nature (b) God (c) The State (d) The people

Q.32. The Indian Constitution prescribes Fundamental Rights in:

- (a) Part III (b) part VII (c) part V (d) part IV

Q.33. Who called the right to constitutional remedies as the heart and soul of the constitution?

- (a) J.L. Nehru (b) B. R. Ambedkar (c) Mahatma Gandhi (d) Rajendra Prasad

Q.34. The National Human Right Commission is an independent commission, set up by the law in the year:

- (a) 1993 (b) 1995 (c) 1999 (d) 2001

Q.35. Which of these is not a freedom available under the 'Right to Freedom' in India?

- (a) Freedom of speech and expression (b) Freedom to incite people to rebel against the government
(c) Freedom to assemble in a peaceful manner (d) Freedom to form associations and unions

Q.36. Which among the following is correct regarding PIL?

- (a) Public Interest Legislature (b) Public Interest Litigation
(c) Public Information Litigation (d) Public Information Legislature

Q.37. Which of the following freedoms is not available to an Indian citizen?

- (a) Freedom to criticise the government (b) Freedom to participate in armed rebellion
(c) Freedom to reside in any part of the country (d) All the above

Q.38. Which of these is not allowed under the Culture and Educational Right in India?

- (a) Every cultural group has the right to protect its language and culture.
(b) Admissions can be denied on the basis of religion and culture in government aided educational organisations set up by cultural groups.
(c) All minority groups have the right to establish educational institutions of their choice. (d) None of these

Q.39. Which one of the following is not a Political Right?

- (a) Right to contest election (b) Right to vote

(c) Right to seek any political office (d) Right to freedom

Q.40. If anyone violates our Fundamental Rights we can directly approach the:

(a) Prime Minister (b) Supreme Court (c) President (d) Vice President

SHORT ANSWER TYPE QUESTIONS [3 MARKS]

Q.1. Describe in detail the cultural and educational rights of the minorities as provided in the Indian constitution

Ans. The language, culture and religion of minorities need protection otherwise they may get neglected or undermined under the impact of the language, culture and religion of the majority. All minorities have the right to establish and administer educational institutions of their choice

.Q.2. Explain what is meant by 'Rule of Law'.

Ans. Rule of law means equality before the law or equal protection of the laws. It means that the laws apply in the same manner to all, regardless of a person's status. Rule of law is the foundation of any democracy. It implies that no person is above the law. There cannot be any distinction between a political leader, government official and ordinary citizen.

Q.3. Mention the freedoms provided under the 'Right to Freedom'?

Ans Under the Right to Freedom, the Indian constitution guarantees six freedoms. These are:

- (i) Freedom of speech and expression
- (ii) Freedom to assemble peacefully without arms
- (iii) Freedom to form associations and unions
- (iv) Freedom to move freely throughout the country
- (v) Freedom to reside in any part of the country and,
- (vi) Freedom to practise any profession, or to carry on any occupation, trade or business.

Q.4 What does the term 'minority' refer to under the Cultural and Educational Rights?

Ans. Here minority does not mean only religious minority at the national level. In some places, people speaking a particular language are in majority; people speaking a different language are in a minority. For example, Telugu-speaking people form a majority in Andhra Pradesh but they are a minority in Karnataka. Sikhs constitute a majority in Punjab, but they are a minority in Rajasthan, Haryana and Delhi.

.Q.5. Give some examples with regard to the expansion of the scope of rights for the citizens.

Ans. Certain rights like right to freedom of press, right to information, and right to education are derived from the Fundamental Rights. Recently school education has become a right for Indian citizens. Parliament has passed a law giving the right to information to the citizens. Under the direction of the Supreme Court, right to life now includes the right to food. Right to property is not a Fundamental Right but it is a legal right. Right to vote in elections is an important constitutional right.

Q.6. Explain the 'Right to Equality' enjoyed by the citizens of India. What is its importance?

Ans All citizens irrespective of caste, colour, region, religion ethnicity, sex or place of birth are equal before the law. There shall be no discrimination against any citizen. All citizens shall have equal

opportunity in matters of employment. This is what the 'Right to Equality' means.

Q.7. "The right to freedom is a cluster of six rights". Explain. Ans. The right to freedom is a cluster of six rights. Therefore:

- (i) Freedom of speech and expression
- (ii) Freedom of assembly in peaceful manner
- (iii) To form association and unions
- (iv) Move freely throughout the country
- (v) Reside in any part of the country
- (vi) Practice any profession or occupation.

Q.8. Why are the rights guaranteed by the Indian constitution called Fundamental Rights?

Ans. (i) They are fundamental to our life.
(ii) Fundamental Rights put into effect the securing for all citizens equality, liberty and justice as given in the Preamble to our constitution.

Q.9. State any three provisions of the Fundamental Right Against Exploitation.

Ans. (i) The constitution prohibits 'traffic in human beings' i.e. selling and buying of human beings.
(ii) It also prohibits forced labour or begar in any form.
(iii) The constitution also prohibits child labour. No one can employ a child below the age of fourteen to work in a factory, mine or any hazardous work.

Q.10. Why do we need rights in a democracy?

Ans. Rights are claims of a person over other fellow beings; over the society, and over the government. Rights are necessary for the very sustenance of democracy. Rights protect minorities. Rights are guarantees which can be used when things growing.

Q.11. Write three constitutional provisions for the protection of women and children in India.

Ans. These are: The constitution prohibits
(i) Traffic in human beings i.e. selling & buying of human beings specially women for immoral purposes.
(ii) It prohibits forced labour
(iii) It protects children under years of age by prohibiting their employment in any factory, mine or hazardous work.

.Q.12. Mention any three features of Right to Equality.

Ans. (i) The law applies to all citizens irrespective of his status (The Rule of Law).
(ii) The government shall not discriminate against any citizen on grounds of religion, caste ethnicity, sex or place of birth.
(iii) All citizens have equality of opportunity in matters of employment

Q.13. Mention any three rights of a detained person.

Ans. (i) A person who is arrested and detained in custody will have to be informed of the reasons for such arrest.
(ii) Such a person shall be produced before the nearest magistrate within a period of 24 hours of arrest.
(iii) Such a person has the right to consult a lawyer or engage a lawyer for his defence.

Q.14. "Right to constitutional remedies is the heart and soul of the constitution." Justify.

Ans This right makes other rights effective when any of our rights are violated we can seek remedy through courts. If it is a Fundamental Right we can directly approach the Supreme Court. That is why Dr Ambedkar called it "the heart and soul of our constitution".

Q.15. What was the background in which ethnic massacre took place in Kosovo?

Ans. Kosovo was a province of Yugoslavia before it split away. In this province the population was overwhelmingly ethnic Albanian. But in the entire country, Serbs were in majority. A narrow minded Serb nationalist, Milosevic, had won the election and became the President of Yugoslavia. His government was very hostile to the Kosovo Albanians. He wanted that ethnic minorities like Albanians should either leave the country or accept the dominance of the Serbs. The massacre was carried out by the army under the direction of the government

LONG ANSWER TYPE QUESTIONS [5 MARKS]

Q.1. Explain the provisions included in the Right against Exploitation?

Ans-1 Once the right to liberty and equality is granted it follows that every citizen has a right to not to be exploited yet the constitution makers thought it was necessary to write down certain clear provisions to prevent exploitation of the weaker sections of the society.

2-The constitution mentions three weaker sections of the society.

3-The constitution mentions three evils and declares these as illegal.

4-First, the constitution prohibits traffic in human beings, i.e., selling and buying of human beings.

5-Secondly, it prohibits "begar" or forced labour in any form.

Finally the constitution prohibits child labour. No one can employ a child below the age of fourteen to work in a factory or mine.

Q.2. Mention the provisions of the Cultural and Educational Rights.

Ans1- For the simple reason that the working of democracy gives power to the majority, it is the language, culture and religion of minorities that needs special protection. Therefore, the cultural and educational rights of the minorities are specified in the constitution.

2-Any section of citizens with a distinct language or culture has a right to conserve it.

3-Admission to any educational institution maintained by government or receiving government aid cannot be denied to any citizen on the ground of religion or language.

4-All minorities have the right to establish and administer educational institutions of their choice.

5-Full compensation has to be paid if the state seeks to acquire the property of a minority educational institution.

Q.3. Explain what is meant by the 'Right to Constitutional Remedies'?

Ans. 1-Rights guaranteed by the constitution are useless if there are no special provisions to guarantee them.

2-The Fundamental Rights in the constitution are enforceable. We have the right to seek the enforcement of these rights by moving to the High Courts or the Supreme Court. This is called the Right to Constitutional Remedies which is provided by Article 32 of the constitution.

3-This itself is a Fundamental Right. This right makes other rights effective. It is possible that sometimes our rights may be violated by fellow citizens, private bodies or by the government.

4-When any of the rights are violated we can seek remedy through a court. If it is a

Fundamental Right we can directly approach the Supreme Court or the High Court of a state.

5- Dr. Ambedkar called the Right to Constitutional Remedies (Article 32) the 'heart and soul' of our constitution. There can be no law or action that violates the Fundamental Rights. Such a law can be declared null and void by the Supreme Court.

Q.4. What can a person do in case of the violation of Fundamental Rights? What is PIL and how does it work?

Ans.1-In case of any violation of Fundamental Right, the aggrieved person can approach the High Court or the Supreme Court for remedy.

2- Moreover any person can go to court against the violation of the Fundamental Right, if it is of social or public interest. It is called the Public Interest Litigation (PIL).

3-Under this any citizen or group of citizens can approach the Supreme Court or the High Court for the protection of public interest against a particular law or action of the government.

4-One can write to the judges even on a postcard. The court will take up the matter if the judges find.

Q.5. Explain the correctness of the following statement, "Rights are necessary for the very sustenance of a democracy."

Ans.1-It is absolutely correct to say that rights are necessary for the very sustenance of a democracy. Rights are the heart and soul of democracy.

2- In a democracy, every citizen has the right to vote and the right to be elected to government. For democratic elections to take place, it is necessary that citizens should have the right to express their opinion, form political parties and take part in political activities.

3-Rights also perform a very special role in a democracy. They protect minorities from the oppression of the majority. They ensure that interests of the minorities are protected and majority does not act as per its whims and fancies.

4- Rights are guarantees which can be used when things go wrong. Things may go wrong when some citizens may wish to take away the rights of others. Generally, the majority wants to dominate the minority.

5-The government should protect the citizens' rights in such a situation. Sometimes elected governments may not protect or even attack the rights of their own citizens (as happened in Yugoslavia under

Milosevic). Therefore, some basic rights of the citizens are written down in the constitution of most democracies. it is in public interest. Even a newspaper article or report can be treated as a PIL by the court.

Q.6. Mention four new rights which the constitution of South Africa has guaranteed to its citizens.

Ans.1-The scope of rights has been expanding and new rights are evolving over time. They are the result of the struggle of the people. New rights emerge as societies develop or as new constitutions are made.

The constitution of South Africa guarantees its citizens several kinds of new rights.

2-Right to privacy, so that citizens or their home cannot be searched, their phones cannot be

tapped, their communication cannot be opened.

3-Right to an environment that is not harmful to their health or well-being.

4-Right to have access to adequate housing.

5-Right to have access to health care services, sufficient food and water; no one can be refused emergency medical treatment.

Q.7 The Right to Freedom of Speech and Expression does not come without qualifications.Explain?

Ans.1- Freedom of speech is one of the essential features of any democracy.

2- Our ideas and personality develop only when we are able to freely communicate with others. You may disagree with a policy of government, you are free to criticise the government.

3-You may publicise your views through pamphlet, magazine or newspaper. However, you cannot use this freedom to instigate violence against others.

4-You cannot incite people to rebel against the government, nor can you use it to defame others by saying false and mean things that cause damage to a person's reputation. This is called freedom of speech with qualifications.

HOTS

Q.1. Are the reservations provided to the Scheduled Castes, Scheduled Tribes and OBCs against the Right to Equality? Give reasons.

Ans.1-These reservations are not against the Right to Equality.

2-In a broader sense, equality does mean giving everyone the same treatments, no matter what they need.

3-Equality means giving everyone an equal opportunity to achieve whatever one is capable of. Sometimes, it is necessary to give job reservations to socially and economically backward sections of the society to ensure equal opportunity.

4-The constitution says that reservations of this kind are not a violation of the Right to Equality.

Q.2What is the role of National Human Rights Commission in securing the human rights?

How does it work?

Ans.1-The National Human Rights Commission (NHRC) focuses on helping the victims secure their human rights. These include all the rights granted to the citizens by the constitution. For NHRC human rights also include the rights mentioned in the UN-sponsored international treaties that India has signed.

2-The NHRC cannot by itself punish the guilty – that is the responsibility of the courts. The NHRC makes an independent and credible inquiry into any case of violation of human rights.

3-The commission presents its findings and recommendations to the government or intervenes in the court on behalf of the victims.

4- Like any court, it can summon witnesses, question any government official, demand any official paper, visit any prison for inspection or send its own team for on-the-spot inquiry

Q.3.The 'Right to Constitutional Remedies' is called the heart of the constitution. Explain.

Ans.1-This 'Right' makes other 'Rights' effective. If sometimes our rights are violated by fellow citizens, private bodies or by the government, we can seek remedy through courts.

2-If it is a Fundamental Right we can directly approach the Supreme Court or the high court of a state. That is why Dr. Ambedkar called it "the heart and soul" of our constitution.

Q.4. Right to freedom comes with some limitations. Justify with three suitable examples.

Ans. (i) You cannot use your Right to Freedom to incite people to rebel against government or to defame others.

(ii) We can hold meetings but peacefully.

(iii) We cannot carry weapons while participating in a procession or a meeting

Q.5. What is a secular state? In which way does our constitution make India a secular state?

Ans 1- A secular state is one that does not confer any privilege or favour on any particular religion. It does not punish or discriminate against people on the basis of religion they follow.

2- It implies that the government cannot compel any person to pay any taxes for the promotion or maintenance of a particular religion or religious institution.

3- There shall be no religious instruction in the government educational institutions. In private institutions, no person can be compelled to take part in a religious activity. A secular state is one that does not establish any one religion as official religion.

4- Indian secularism practises an attitude of principled and equal distance from all religions. The Preamble to Indian constitution declares India to be a secular nation. There is no official religion in India. The Indian state is neutral and impartial in dealing with all religions.

5- Right to freedom of religion is a Fundamental Right. Every citizen of India has a right to profess, practise and propagate the religion he/she believes in. Every religious group or sect is free to manage its religious affairs

Answer to MCQ

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|-----------|------------|------------|------------|------------|-----------|-----------|
| Q.1 (d), | Q.2. (c), | Q.3. (d), | Q.4 (c) | Q.5.(d) | Q.6.(b), | Q.7. (b) |
| Q.8. (b), | Q.9. (b), | Q.10. (d), | Q.11. (c), | Q.12. (a) | Q.13.(b), | Q.14.(b), |
| Q.15(c), | Q.16 (b), | Q.17(c), | Q.18. (c), | Q.19.(d), | Q.20.(c), | Q.21.(d), |
| Q.22(b) | Q.23. (b) | Q.24 (d), | Q.25. (c), | Q.26. (b), | Q.27. (b) | Q.28.(b) |
| Q.29. d), | Q.30 (c) , | Q.31 (c), | Q.32. (a) | Q.33 (b), | Q.34.(a) | Q.35.(b) |
| Q.36. (b) | Q.37. (b) | Q.38. (b), | Q.39.(d), | Q.40. (b) | | |

SCIENCE

MATHS