



VIDYAVARDHAKA LAW COLLEGE

(Affiliated to Karnataka State Law University, Hubballi)

Sheshadri Iyer Road, Mysuru - 570001.

LEGAL OUTREACH PROGRAM

Submitted To:

**DR. SRIDEVI KRISHNA
ASST PROFESSOR
VIDYAVARDHAKA LAW COLLEGE**

Submitted By:

**DHANUSH N.S
DARSHAN K.P
CHANDRASHEKAR B R**

VI SEM A SEC (3 YEARS) LL.B

DECLARATION

We ***DHANUSH N S, DARSHAN K.P, CHANDRASHEKAR B.R***, declared that the ***LEGAL OUTREACH PROGRAM*** of the ***SIXTH SEMESTER*** which has been done in the ***JAWAHAR NAVODAYA VIDYALAYA, MYSURU*** is the result of the original work done to the best of our knowledge.

We also declare that the Internship work is towards the partial fulfilment for the award of degree of LL.B.

PLACE : MYSURU

DATE : 14-08-2024

SIGNATURES OF THE STUDENTS:

- 1). N.S. Dhanush**
- 2). Darshan K.P**
- 3). Chandrashekar B.R**



**JAWAHAR NAVODAYA VIDYALAYA,
DODDAMARA GOWDANAHALLY,
MYSURU - 571103**

ABOUT THE INSTITUTE:

JAWAHAR NAVODAYA VIDYALAYA was established in 2003 and it is managed by the Central Govt.. It is located in Rural area. It is located in MYSORE RURAL block of MYSURU district of Karnataka. The school consists of Grades from 6 to 12. The school is Co-educational and it doesn't have an attached pre-primary section. The school is others in nature and is not using school building as a shift-school. English is the medium of instructions in this school. This school is approachable by all weather road. In this school academic session starts in April.

The school has Government building. It has got 6 classrooms for instructional purposes. All the classrooms are in good condition. It has 2 other rooms for non-teaching activities. The school has a separate room for Head master/Teacher. The school has Pucca boundary wall. The school has have electric connection. The source of Drinking Water in the school is None and it is functional. The school has 5 boys toilet and it is functional. and 5 girls toilet and it is functional. The school has a playground. The school has a library and has 4065 books in its library. The school does not need ramp for disabled children to access classrooms. The school has 46 computers for teaching and learning purposes and all are functional. The school is having a computer aided learning lab. The school is Provided and Prepared in School Premises providing mid-day meal.

INTRODUCTION:

On *13-06-2024*, we the *VI SEM LL.B* Students *CHANDDRASHEKAR B R, DHANUSH N S, DARSHAN K P* visited *Jawahar Navodaya Vidyalaya* located at *Doddamaranagowdanahally Mysuru* to perform *Legal Aid Outreach Program* for the academic purpose.

As of we aimed at educating the students related to :

- *Indian Constitution*
- *Fundamental Rights*
- *Fundamental Duties*

As the request made to the institution, they setup the stage and gathered the students. The cooperation of the institution was really appreciable.

EVENT PROCEEDING:

We entered the campus in the given slot. And met the authority. They welcomed us respectfully and we introduced ourselves. First thing they said to have the meal, because we reached during lunch time. After accepting their hospitality we were taken to office room and we seated and waited until the students gathered.

SESSION: 01

What Is Constitution?

A Constitution is a set of Fundamental Rules that determines how a country or a state is run. Almost all constitutions are codified.

Dr. B.R Ambedkar is the sculpture & father of our Indian Constitution. He took *2 Year 11 Months 18 Days* to present this might constitution. Our Indian Constitution is so special compared to all. Because it is the lengthiest and written constitution & it is neither rigid nor flexible. The constitution was submitted on *November 26 1949*, Unfortunately it came in to force *35 days* later after undergoing several amendments. Ultimately India had its constitution of *26th January 1950*. The constitution consist of *395 Articles, 22 Parts, 12 Schedules & 107 Amendments*.

PREAMBLE:

As quite a few people know, the origin and the present preamble has slight changes.

(Constitution Before 42nd Amendment)

WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a **SOVEREIGN DEMOCRATIC REPUBLIC** and to secure to all its citizens:

JUSTICE, social, economic and political;

LIBERTY of thought, expression, belief, faith and worship;

EQUALITY of status and of opportunity; and to promote among them all

FRATERNITY assuring the dignity of the individual and the unity of the Nation;

IN OUR CONSTITUENT ASSEMBLY this twenty-sixth day of November, 1949, do **HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.**

(Constitution After 42nd Amendment)

The Preamble is based on **Pandit Nehru's** Objective Resolution that he moved and was adopted by the Constituent Assembly. The Preamble has been amended in 1976 by the 42nd Amendment which added words '**SOCIALIST**', '**SECULAR**' and '**INTEGRITY**' to it.

WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a **SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC** and to secure to all its citizens:

JUSTICE, social, economic and political;

LIBERTY of thought, expression, belief, faith and worship;

EQUALITY of status and of opportunity; and to promote among them all

FRATERNITY assuring the dignity of the individual and the unity and **integrity** of the Nation;

IN OUR CONSTITUENT ASSEMBLY this twenty-sixth day of November, 1949, do **HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.**

The Constituent Assembly debated the Preamble on **17 October 1949**. The debates around the Preamble revolved around the name of India and inclusion of '**God**' and '**Gandhi**'. One member urged the Assembly to rename India as the '**Union of Indian Socialistic Republics**', similar to the USSR. Members were not convinced with this suggestion as they felt that it would go against the already adopted constitutional scheme. Another member sought to include '**In the name of God**', Many were opposed to this suggestion – it was noted that it was unfortunate to put '**God**' on vote. One member believed that inclusion of '**God**' would amount to a '**compulsion of faith**', and violate the fundamental right to freedom of faith. A proposal was made to include Gandhi's name in the Preamble as well. But this was opposed by a member, who was discontent with the already adopted draft articles as he felt that the Indian constitution was based on the American Supreme Court cases and Government of India Act. He opposed any association of Gandhi with this 'rotten Constitution'. All the amendments moved by the members were either withdrawn or negated. The Assembly was divided with 41 voting in favour and 68 voting against it. Ultimately, the Assembly adopted the Preamble as presented by the Drafting Committee.

THE CONSTITUTION OF INDIA

PREAMBLE

WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a **'[SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC]** and to secure to all its citizens :

JUSTICE, social, economic and political;

LIBERTY of thought, expression, belief, faith and worship;

EQUALITY of status and of opportunity and to promote among them all;

FRATERNITY assuring the dignity of the individual and the ²[unity and integrity of the Nation];

IN OUR CONSTITUENT ASSEMBLY this twenty-sixth day of November, 1949 do **HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.**

1. Subs. by the Constitution (Forty-second Amendment) Act, 1976, Sec.2, for "Sovereign Democratic Republic" (w.e.f. 3.1.1977)
2. Subs. by the Constitution (Forty-second Amendment) Act, 1976, Sec.2, for "Unity of the Nation" (w.e.f. 3.1.1977)

SESSION: 02

What are Fundamental Rights?

Fundamental rights are the basic human rights enshrined in the Constitution of India which are guaranteed to all citizens. They are applied without discrimination on the basis of race, religion, gender, etc. Significantly, fundamental rights are enforceable by the courts, subject to certain conditions.

Why are they called Fundamental Rights?

These rights are called fundamental rights because of two reasons:

- They are enshrined in the Constitution which guarantees them.
- They are justiciable (enforceable by courts). In case of a violation, a person can approach a court of law.

How many Fundamental Rights are there in the Indian Constitution?

There are six fundamental rights in the Indian Constitution. They are mentioned below along with the constitutional articles related to them:

- **Right to Equality (Article 14-18)**
- **Right to Freedom (Article 19-22)**
- **Right against Exploitation (Article 23-24)**
- **Right to Freedom of Religion (Article 25-28)**
- **Cultural and Educational Rights (Article 29-30)**
- **Right to Constitutional Remedies (Article 32)**

1. Right to Equality

The right to equality is one of the important fundamental rights of the Indian Constitution that guarantees equal rights for everyone, irrespective of religion, gender, caste, race or place of birth. It ensures equal employment opportunities in the government and insures against discrimination by the State in matters of employment on the basis of caste, religion, etc. This right also includes the abolition of titles as well as untouchability.

2. Right to Freedom

Freedom is one of the most important ideals cherished by any democratic society. The Indian Constitution guarantees freedom to citizens. The freedom right includes many rights such as:

- **Freedom of speech**
- **Freedom of expression**
- **Freedom of assembly without arms**
- **Freedom of association**
- **Freedom to practise any profession**
- **Freedom to reside in any part of the country**

Some of these rights are subject to certain conditions of state security, public morality and decency and friendly relations with foreign countries. This means that the State has the right to impose reasonable restrictions on them.

3. Right against Exploitation

This right implies the prohibition of traffic in human beings, begar, and other forms of forced labour. It also implies the prohibition of employment of children in factories, etc. The Constitution prohibits the employment of children under 14 years in hazardous conditions.

4. Right to Freedom of Religion

This indicates the secular nature of Indian polity. There is equal respect given to all religions. There is freedom of conscience, profession, practice and propagation of religion. The State has no official religion. Every person has the right to freely practice his or her faith, and establish and maintain religious and charitable institutions.

5. Cultural and Educational Rights

These rights protect the rights of religious, cultural and linguistic minorities, by facilitating them to preserve their heritage and culture. Educational rights are for ensuring education for everyone without any discrimination.

6. Right to Constitutional Remedies

The Constitution guarantees remedies if citizens' fundamental rights are violated. The government cannot infringe upon or curb anyone's rights. When these rights are violated, the aggrieved party can approach the courts. Citizens can even go directly to the Supreme Court which can issue writs for enforcing fundamental rights.

Features of Fundamental Rights:

- Fundamental rights are different from ordinary legal rights in the manner in which they are enforced. If a legal right is violated, the aggrieved person cannot directly approach the SC bypassing the lower courts. He or she should first approach the lower courts.
- Some of the fundamental rights are available to all citizens while the rest are for all persons (citizens and foreigners).
- Fundamental rights are not absolute rights. They have reasonable restrictions, which means they are subject to the conditions of state security, public morality and decency and friendly relations with foreign countries.
- They are justiciable, implying they are enforceable by courts. People can approach the SC directly in case of violation of fundamental rights.
- Fundamental rights can be amended by the Parliament by a constitutional amendment but only if the amendment does not alter the basic structure of the Constitution.
- The Fundamental Rights of the Indian Constitution can be suspended during a national emergency. But, the rights guaranteed under Articles 20 and 21 cannot be

suspended.

- The application of fundamental rights can be restricted in an area that has been placed under martial law or military rule. Fundamental Rights Available Only to Citizens.

The following is the list of fundamental rights in the Indian constitution that are available only to citizens (and not to foreigners):

- 1). Prohibition of discrimination on grounds of race, religion, caste, gender or place of birth (Article 15).
- 2). Equality of opportunity in matters of public employment (Article 16).
- 3). Protection of freedom of: (Article 19)
 - Speech and expression
 - Association
 - Assembly
 - Movement
 - Residence
 - Profession
- 4). Protection of the culture, language and script of minorities (Article 29).
- 5). Right of minorities to establish and administer educational institutions (Article 30).

Importance of Fundamental Rights:

Fundamental rights are very important because they are like the backbone of the country. They are essential for safeguarding the people's interests. According to Article 13, all laws that are violative of fundamental rights shall be void. Here, there is an express provision for judicial review. The SC and the High Courts can declare any law unconstitutional on the grounds that it is violative of fundamental rights. Article 13 talks about not just laws, but also ordinances, orders, regulations, notifications, etc.

Amendability of Fundamental Rights:

- Any changes to fundamental rights require a constitutional amendment that should be passed by both the Houses of Parliament. The amendment bill should be passed by a special majority of Parliament.
- As per the Constitution, Article 13(2) states that no laws can be made that take away fundamental rights.
- The question is whether a constitutional amendment act can be termed law or not.
- In the Sajjan Singh case of 1965, the Supreme Court held that the Parliament can amend any part of the Constitution including fundamental rights.
- But in 1967, the SC reversed its stance taken earlier when in the verdict of the Golaknath case, it said that the fundamental rights cannot be amended.
- In 1973, a landmark judgement ensued in the Kesavananda Bharati case, where the SC held that although no part of the Constitution, including Fundamental Rights, was beyond the Parliament's amending power, the **“basic structure of the Constitution could not be abrogated even by a constitutional amendment.”**
- This is the basis in Indian law in which the judiciary can strike down any amendment

- passed by Parliament that is in conflict with the basic structure of the Constitution.
- In 1981, the Supreme Court reiterated the Basic Structure doctrine.
- It also drew a line of demarcation as April 24th, 1973 i.e., the date of the Kesavananda Bharati judgement, and held that it should not be applied retrospectively to reopen the validity of any amendment to the Constitution which took place prior to that date.

Doctrine of Severability:

This is a doctrine that protects the fundamental rights enshrined in the Constitution.

- It is also known as the Doctrine of Separability.
- It is mentioned in Article 13, according to which all laws that were enforced in India before the commencement of the Constitution, inconsistent with the provisions of fundamental rights shall to the extent of that inconsistency be void.
- This implies that only the parts of the statute that are inconsistent shall be deemed void and not the whole statute. Only those provisions which are inconsistent with fundamental rights shall be void.

Doctrine of Eclipse:

- This doctrine states that any law that violates fundamental rights is not null or void ab initio, but is only non-enforceable, i.e., it is not dead but inactive.
- This implies that whenever a fundamental right (which was violated by the law) is struck down, the law becomes active again (is revived).
- Another point to note is that the doctrine of eclipse applies only to pre-constitutional laws (laws that were enacted before the Constitution came into force) and not to post-constitutional laws.
- This means that any post-constitutional law which is violative of a fundamental right is void ab initio.

Fundamental Rights and Duties Difference:

Fundamental Rights are the rights available to the people of this country, while Fundamental Duties are the obligations on the part of the citizens. Fundamental Duties were added to the Indian Constitution by the 42nd Constitution Amendment Act 1976 by the Indira Gandhi Government.

Fundamental rights and duties are two important concepts of the Indian Constitution. While fundamental rights are the entitlements that individuals possess by virtue of being citizens of a particular country, fundamental duties are the responsibilities that citizens have towards their country and fellow citizens. Here are some key differences between the two:

Nature: Fundamental rights are legal rights that are enshrined in the constitution of a country. These rights are meant to protect the interests of individuals and provide them with a sense of security and equality. On the other hand, fundamental duties are moral and ethical obligations expected of citizens towards their country and fellow citizens.

Enforcement: Fundamental rights are enforceable through the courts of law. If an indi-

vidual's fundamental rights are violated, they can seek legal recourse and the courts can provide appropriate remedies. However, fundamental duties are not enforceable in the same way. While citizens are expected to fulfil their fundamental duties, there are no legal sanctions if they fail to do so.

Goal: The focus of fundamental rights is on protecting the interests of individuals and ensuring their well-being. Fundamental duties, on the other hand, are focused on promoting the collective good and ensuring that citizens contribute to the welfare of their country.

SESSION: 03

Fundamental Duties:

We all talk about Fundamental Rights very loudly, but when it comes to our fundamental duties towards the country, Defend the country and Promote harmony. We all fall back in a state of hesitation. This Constitution has given us the fundamental duty to decide the responsibility towards the society and the country for Defending the country and Abide by the Indian Constitution, either no one wants to talk about it, or we do not do it intentionally, it is clear that we want everything but in return or considering it as our responsibility. don't want to do.

These Fundamental Duties were mainly inspired by the body of the former Soviet Union. Total 11 essential duties in India. We should Abide by the Indian Constitution.

The following is a list of 11 fundamental duties:

1. Abide by the Constitution and respect national flag & National Anthem
2. Follow ideals of the freedom struggle
3. Protect sovereignty & integrity of India
4. Defend the country and render national services when called upon
5. Developing the spirit of common brotherhood
6. Preserve composite culture of the country
7. Preserve natural environment
8. Develop scientific temper and humanity
9. Safeguard public property and avoid violence
10. Strive for excellence in all spheres of life.
11. Duty of all parents/guardians to send their children in the age group of 6-14 years to school.

The purpose behind the creation of Fundamental Duties is that every citizen should realise that the first is to Defend the country and promote harmony of the nation; that is, the national interest should be ahead of every action and goal.

Indian Fundamental Duties include abiding by the Indian Constitution, respecting our flag, keeping a sense of respect for the national anthem and protecting public property. In this constitution, through the 42nd Amendment Act 1976, the fundamental duties of citizens were listed. Article 51 'A' embodied in Part IV of the Constitution deals with Fundamental Duties. In India, January 6 is celebrated as "***Fundamental Duties Day***".

Enforcement of Fundamental Duties:

- The Court cannot enforce fundamental Duty. Meaning is unenforceable.
- There is no mention of any law in the constitution for the direct enforcement of these duties or the redressal of their violation.
- But if any law is made keeping in mind Article 14 and Article 19, it will be honourable.

Criticism of Fundamental Duties:

- Some other essential subjects not included in this list like paying taxes, family planning and voting etc.
- Many Fundamental Duties are not defined correctly. That's why it is difficult to understand.
- There is no talk of enforcement of duties, which is the main criticism. Because for this reason it has not been implemented well till now.
- Some experts believe that by including it in Part-4A, the value of Fundamental Duties gets reduced following the policy directive principles.

Swaran Singh Committee:

This committee was highly important, and no discussion on fundamental duties can be considered complete without referring to this one, irrespective of other provisions. There was no mention of Fundamental Duties in the original Constitution of India. In 1976, the Indira Gandhi government constituted a committee under the chairmanship of Sardar Swaran Singh.

- This committee recommended eight Fundamental Duties, but the government added ten duties.

But three suggestions of these committees were not considered by the government.

- Parliament should be given the power to make laws for the implementation of these duties and to punish for the violation.
- Such a law will be valid even if it violates the fundamental right.
- The duty to pay taxes should also be a fundamental duty of the Indian people.

By this our 3 session came to the conclusion and we were open to question. Initially we didn't thought that the students were so matured in perceiving the information we shared. But much to our surprise many students asked their doubts. Some were related to our topics and some were related to their misconception about Advocacy - Law - Profession and some of their personal problems. But the authority didn't allow much question due to shortage of time. So the program got concluded. We were said to head towards office room. As we walked down many students approached and started asking doubts which they weren't satisfied to the replies and we answered as much as possible. Later we had coffee & snacks in office and we left the institute by taking a group picture.

THANK YOU

PHOTOGRAPHS



P1

- P1:** Receiving Calendar Of The Institute
- P2:** Pic Before The Session Begins
- P3:** Group Pic By The End Before Departure



P2



P3