

Importance of Fundamental Rights in the Indian Constitution

Swati Yadav and Dr Reshma Umair

5th Year Law Student

Associate Professor

Amity University Lucknow, India

swatiyaduvanshi9151@gmail.com and rumair@lko.amity.edu

Abstract: *The basic rights are the foundation of the Indian Constitution and are the reflection of the determination of the State to safeguard the individual liberty, dignity, and equality. These rights are contained in Part III of the Constitution and serve as a check on the powers of the state and that democratic governance is conducted within the confines of the Constitution. This research paper discusses how Fundamental Rights are essential in the protection of civil liberties, social justice, reinforced democratic institutions and constitution supremacy in India. The research work embraces both a doctrinal and empirical method of studying the provisions on the constitution and judicial interpretation and the views of the citizens about the effectiveness of Fundamental Rights. The information gathered by a structured survey helps to draw attention to the awareness of citizens and their perceived influence of Fundamental Rights on the democratic life. The research findings show that besides shielding people against unreasoned state action, Fundamental Rights are also used as tools of social change by means of judicial activism and constitutional redress. Other challenges addressed in the paper include misuse, inability in cases of emergency, and unbalanced implementation. The research findings are that Fundamental Rights are still necessary to uphold the rule of law, to safeguard the interest of minority, and to encourage the constitutional morality in India. Enhancing sensitization, justice and accountability of institutions is critical in bringing the real meaning of these rights to life.*

Keywords: Fundamental Rights, Indian Constitution, Democracy, Judicial Review, Rule of Law, Civil Liberties

