

ANSWER KEY & MARKING SCHEME · CBSE CLASS 11**Rights in the Indian Constitution**

Political Science · Chapter 2 · Use this with the Board Paper · Companion to Quick Drill

HOW TO USE

Attempt the Board Paper first (closed-book, full time). Then come here. For 2-mark+ questions, compare your answer to the model. For 3-4 mark questions, also consult the **Topper Templates** below — these show the exact step-by-step structure that scores full marks per CBSE marking-scheme conventions.

MODEL ANSWERS · BOARD PAPER**Section A — Very Short Answer (1 mark each, 4 Qs)****Q1. Which Article of the Constitution provides the Right to Constitutional Remedies? [1 mark]****Ans:** Article 32.**Q2. Name the writ that is issued to produce a detained person before the court. [1 mark]****Ans:** Habeas Corpus.**Q3. By which amendment were the Fundamental Duties added to the Constitution? [1 mark]****Ans:** The 42nd Amendment, 1976 (Part IV-A, Article 51A).**Q4. Is the Right to Property still a Fundamental Right? State the position. [1 mark]****Ans:** No. It was removed from the Fundamental Rights by the 44th Amendment (1978) and is now only a legal/constitutional right under Article 300A.**Section B — Short Answer I (2 marks each, 3 Qs)****Q5. What does the Right against Exploitation (Articles 23-24) guarantee? State any two points. [2 marks]****Ans:** (i) Article 23 prohibits human trafficking and forced labour (begar) — no person may be compelled to work without payment or against their will. (ii) Article 24 prohibits the employment of children below the age of fourteen years in factories, mines or other hazardous occupations.**Q6. Why are Fundamental Rights said to be 'not absolute'? [2 marks]****Ans:** Fundamental Rights are subject to reasonable restrictions so that one person's rights do not destroy another's or harm society; for example, freedom of speech under Article 19 can be restricted in the interests of the sovereignty and integrity of India, public order, decency or morality. Some rights can also be suspended during a National Emergency (though after the 44th Amendment, Articles 20 and 21 cannot).**Q7. Distinguish between the writs of Habeas Corpus and Mandamus. [2 marks]****Ans:** Habeas Corpus ('you may have the body') is issued to produce a detained person before the court so that the legality of the detention can be examined — it protects against unlawful arrest. Mandamus ('we command') is issued to a public official, body or lower court directing it to perform a legal duty it has wrongfully failed to perform.**Section C — Short Answer II (3 marks each, 3 Qs)****Q8. Explain the Right to Equality guaranteed by the Indian Constitution. [3 marks]****Ans:** The Right to Equality is guaranteed by Articles 14 to 18. (i) Article 14 grants equality before the law and the equal protection of the laws. (ii) Article 15 prohibits discrimination on grounds of religion, race, caste, sex or place of birth, while permitting special provisions for women, children and backward classes; Article 16 guarantees equality of opportunity in public employment. (iii) Article 17 abolishes untouchability and Article 18 abolishes titles. These rights are subject to reasonable restrictions and to permissible affirmative-action provisions.

Q9. Distinguish between Fundamental Rights and Directive Principles of State Policy. (any three differences) [3 marks]

Ans: (i) Justiciability: Fundamental Rights (Part III) are justiciable and enforceable in court under Article 32, whereas Directive Principles (Part IV) are non-justiciable and cannot be enforced in court. (ii) Nature: Fundamental Rights are mainly negative limits on the state (what it may not do); Directive Principles are positive directives (what the state ought to do). (iii) Aim: Fundamental Rights aim at political democracy and individual liberty; Directive Principles aim at social and economic democracy — a welfare state. The two are complementary, together fulfilling the Preamble's promise.

Q10. Explain the Right to Freedom of Religion under the Indian Constitution. [3 marks]

Ans: The Right to Freedom of Religion is guaranteed by Articles 25 to 28. Article 25 grants freedom of conscience and the right to profess, practise and propagate religion, subject to public order, morality and health. Article 26 gives religious denominations the right to manage their own religious affairs. Article 27 provides that no one can be compelled to pay taxes for the promotion of a particular religion. Article 28 lays down that no religious instruction shall be given in educational institutions wholly maintained by state funds. Together they secure India's secular character.

Section D — Long Answer / Passage-Based (4 and 7 marks, 2 Qs)

Q11. Read the passage and answer the questions that follow: 'If I was asked to name any particular article in this Constitution as the most important — an article without which this Constitution would be a nullity — I could not refer to any other article except this one. It is the very soul of the Constitution and the very heart of it.' — Dr B.R. Ambedkar. (a) Which Article was Dr Ambedkar describing? (b) What right does that Article guarantee? (c) Name any two writs the courts can issue under it. (d) Why, according to Ambedkar, is this Article so important? [4 marks]

Ans: (a) Article 32. (b) The Right to Constitutional Remedies — it empowers a citizen to move the Supreme Court directly for the enforcement of Fundamental Rights. (c) Any two of: Habeas Corpus, Mandamus, Prohibition, Quo Warranto, Certiorari. (d) Because it is the right that makes all the other Fundamental Rights enforceable — without an effective remedy, the rights would be mere declarations on paper; hence Ambedkar called it the heart and soul of the Constitution.

Q12. 'Fundamental Rights, Directive Principles and Fundamental Duties together form a single constitutional scheme.' Explain this statement by describing each of the three and their relationship. [7 marks]

Ans: Fundamental Rights (2): contained in Part III, they are the six justiciable rights — Equality (14-18), Freedom (19-22), against Exploitation (23-24), Freedom of Religion (25-28), Cultural & Educational (29-30), and Constitutional Remedies (32) — which limit the state and protect individual liberty, enforceable in court under Article 32. Directive Principles (2): contained in Part IV, they are non-justiciable directives to the state to secure social and economic justice — reducing inequality, providing livelihood, protecting workers and children, promoting education and health; though unenforceable in court, they are 'fundamental in the governance of the country'. Fundamental Duties (1.5): added by the 42nd Amendment (1976) as Part IV-A, Article 51A, they are non-justiciable duties of citizens — to respect the Constitution, the Flag and Anthem, to protect the environment and public property, and to promote harmony. Relationship (1.5): the three are complementary, not contradictory — Rights protect the individual, Directive Principles commit the state to welfare, and Duties remind citizens of their responsibilities; a healthy democracy needs all three in balance, together fulfilling the Preamble's promise of justice, liberty, equality and fraternity.

★ **TOPPER TEMPLATE — 4-5 mark question: 'Explain the Right to Equality / Right to Freedom guaranteed by the Indian Constitution.'** (also asked as a 3-mark 'three provisions')

CBSE SQP 2019, 2021, 2023; School Annual 2020, 2022 — extremely common

Step 1 [1 mark]	Name the right and give its articles	Open precisely: 'The Right to Equality is guaranteed by Articles 14 to 18 of the Constitution.' (For Freedom: 'The Right to Freedom is guaranteed by Articles 19 to 22.') Stating the article range at the start signals command and is itself worth a mark.
Step 2 [2 marks]	List and explain the core provisions	For Equality: equality before law and equal protection of laws (Art 14); no discrimination on grounds of religion, race, caste, sex or place of birth (Art 15); equality of opportunity in public employment (Art 16); abolition of untouchability (Art 17); abolition of titles (Art 18). For Freedom: the six freedoms under Art 19 — speech and expression, assembly, association, movement, residence, profession; protection in respect of conviction (Art 20); protection of life and personal liberty (Art 21); protection against arbitrary arrest and detention (Art 22). Explain at least two or three in a line each.
Step 3 [1 mark]	Add the 'not absolute' qualifier and an illustration	Close with balance: 'These rights are not absolute — they are subject to reasonable restrictions; e.g. freedom of speech can be restricted in the interests of public order, decency or the sovereignty of India.' This evaluative line is what lifts the answer to full marks.

COMMON LOSS OF MARKS:

- Writing the right without any article numbers — caps the answer at roughly half marks.
- Mixing up Right to Equality articles (14-18) with Right to Freedom articles (19-22).
- Claiming the right is absolute — a factual error; rights carry reasonable restrictions.

★ **TOPPER TEMPLATE — 5-6 mark question: 'Why is the Right to Constitutional Remedies called the heart and soul of the Constitution? Explain the writs.'**

CBSE SQP 2020, 2022; School Annual 2019, 2023

Step 1 [2 marks]	Why Article 32 is the 'heart and soul'	'The Right to Constitutional Remedies, under Article 32, empowers a citizen to move the Supreme Court directly when a Fundamental Right is violated. Dr B.R. Ambedkar called it the heart and soul of the Constitution because it is the right that guarantees all the other rights — without an enforceable remedy, rights would be mere declarations on paper. Article 226 similarly empowers the High Courts.'
Step 2 [3 marks]	Explain the five writs	'The courts can issue five writs: (i) Habeas Corpus — to produce a detained person before the court to check the legality of detention; (ii) Mandamus — a command to a public official or body to perform a legal duty it has failed to do; (iii) Prohibition — to stop a lower court from exceeding its jurisdiction; (iv) Quo Warranto — to question the legal authority of a person holding a public office; (v) Certiorari — to quash or transfer an order passed by a lower court that has exceeded its jurisdiction.'
Step 3 [1 mark]	Conclude on significance	'Through these writs the judiciary acts as the guardian and protector of Fundamental Rights, which is why Article 32 is the cornerstone that makes the whole Bill of Rights effective.'

COMMON LOSS OF MARKS:

- Explaining Article 32 but forgetting to actually define the writs — the writs carry the bulk of the marks.
- Confusing habeas corpus (unlawful detention) with mandamus (compelling a duty).
- Omitting the 'heart and soul' / Ambedkar line that the question is explicitly fishing for.

★ TOPPER TEMPLATE — 3-5 mark question: 'Distinguish between Fundamental Rights and Directive Principles of State Policy.'

CBSE SQP 2021, 2024; School Annual 2022

Step 1 [1 mark]	Justiciability	'Fundamental Rights (Part III) are JUSTICIABLE — a citizen can go to court to enforce them under Article 32. Directive Principles (Part IV) are NON-JUSTICIABLE — they cannot be enforced in a court of law.' This is the headline difference.
Step 2 [1 mark]	Nature and against whom	'Fundamental Rights are mainly negative — they LIMIT the state by telling it what it may not do to citizens. Directive Principles are positive DIRECTIVES — they tell the state what it ought to do to promote social and economic welfare.'
Step 3 [1 mark]	Aim and orientation	'Fundamental Rights aim to establish political democracy and protect individual liberty. Directive Principles aim to establish social and economic democracy — a welfare state — by guiding policy on poverty, equality and welfare.'
Step 4 [1 mark]	The relationship / balance	'Though different, the two are complementary, not contradictory — rights without socio-economic justice are hollow, and welfare goals without protected liberty are dangerous. The courts have tried to read them in harmony so that the two together fulfil the Preamble's promise.'

COMMON LOSS OF MARKS:

- Giving only the justiciable/non-justiciable point and stopping — examiners expect three to four distinct contrasts.
- Calling Directive Principles 'rights' — they are directives to the state, not enforceable rights.
- Presenting FR and DPSP as enemies; the marking scheme rewards the 'complementary' balance line.

MARKING SCHEME — GENERAL NOTES

- Section A (1-mark) answers must be exact — a wrong Article number, writ or amendment earns zero; no partial credit.
- For any 'explain a Fundamental Right' question, the correct Article range is compulsory; an answer without Article numbers is capped at roughly half marks.
- Keep the five writs distinct — habeas corpus (unlawful detention) versus mandamus (compelling a duty) is the most common confusion penalised.
- For 'distinguish Fundamental Rights from Directive Principles', award marks for each distinct contrast (justiciability, nature, aim) and the complementary-relationship line; a single point earns at most one mark.
- In passage-based questions, answers must be drawn from or consistent with the given extract; award marks point-wise as per the sub-parts.