
TRACING BACK THE EVOLUTION OF DUTIES AND RIGHTS FROM VEDIC PERIOD TO THE CURRENT SCENARIO

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ABSTRACT

In ancient India, the concept of rights and duties are derived from the societies which were primarily based on the principles of Natural Justice. In order to avoid conflicts between these rights and duties, Vedas were used as a law in ancient society. Similarly, the activities which an individual must perform would be determined by the society through the usage of Morality which has evolved from the customary practices and later as society progresses, they were codified as law and it is addressed as legislations. These legislations prescribes Fundamental Duties and Fundamental Rights in modern society. In ancient times, the Fundamental duties had higher weightage when compared to Fundamental rights as Fundamental duties are directly connecting the person with religious duties. Although having all these rights and duties, the weightage of Fundamental rights is more in today's scenario than the Fundamental duties as it directly connects the person with the State. This research paper elucidates on how the duties and rights have evolved over a period of time from Vedic period to the current scenario and whether any duties or rights of Vedic period are used in the present generation. Further, an analysis would be provided like whether the existing duties and rights are sufficient. It further throws light on how human rights, morality and law plays a major role in securing the rights of people and also discusses the duties which arise out of it. This paper also clarifies whether any concept of duties and rights were prevalent during Vedic period and if it is so whether both are given equal importance. Finally, it addresses the importance which is to be given to the fundamental duties in par with the fundamental rights.

Keywords: Duties in Vedic period, Fundamental Duties, Fundamental Rights, Morality and Law, Legal enforceability.

(I) INTRODUCTION

The development of rights and duties of the present generation could be traced back right from the Vedic period. When it comes to Indus Valley Civilization some improvements and systematization was adopted which is clearly evident from the literatures and other text books. The evolution of these rights and duties have been enumerated from Gurukul and Ashrams. Which are basically considered to be an institutions or schools where the individuals would be taught about their Do's and Don'ts, rights and duties which is vested upon them and these teachings would be completely based on the Dharma and other religious textbooks. The rights and duties which were thought in these ashrams and Gurukuls would be practiced in real life. In simple understanding, rights are those which are available to an individual to lead a peaceful and secured life. Basically, these rights are given or vested on the individuals in order to seek protection from being harmed or threatened by other individuals whereas, duties are those which imposes an obligation upon the person which is necessary to formulate a harmonized society. In ancient society, the level of importance which is given to the duties are more than rights, since the society which exists on those days was completely connected with the religious activities. The duties had higher privilege because if one fails in performing his duty it is considered to be a sinful activity. The absence of court system has also hindered the process of administration of justice and during the early Vedic period the role of court would be taken in the hands of Kings and other persons who are well versed in Shastras, Dharmas and other religious textbooks will be giving advice to the King. Based on the advice provided to the King, he will adjudicate the matter. Mostly, the person who will be giving advice to the King would be pandita and priests because on those days only religious texts were on the upper hand and was used as a guiding factor for administration of justice and these textbooks only explain the rights and duties and the people were completely abiding and following those rules and regulations as prescribed in these texts.

In continuance of the legal texts and other scriptures prescribe the rights and duties which were prevalent in the Vedic period. Currently, even right and duties of the states as well as individuals are prescribed under the constitution of India and other legislations. The constitution of India serves as an important instrument which basically prescribes the powers, roles and duties of individuals and states which are in the form of Fundamental Rights and Directive Principles of State Policy which are vested upon each individual and states. Upon violation of such fundamental rights which are guaranteed by the Constitution of India it could

enforced before the court of law as a matter of right and even states are considered to be the protector of those fundamental rights. So, any violation occur it would be the responsibility of the state to protect and enforce the same whereas on the other hand, DPSP serves as a guiding principle for the states to achieve it and even it could not be claimed as a matter of right before the court of law. Therefore, it is very much evident that prevalence of rights and duties are even existing in the current time period. The only disparity which exist right now is that there is a shift in importance given between rights and duties. In the earlier period, everything duties were associated with the concept of divine therefore, it was given much prevalent and the rights would be enforced only by the king but now the situation is different where rights are given prime importance and states are duty bound to protect it whereas duties are just a mere tool to achieve development.

STATEMENT OF PROBLEM

The ancient Indian legal system and its framework are deeply rooted with the divine concepts which is very much evident from the legal text books which were prevalent during those days such as Manusmriti, Dayabhaga and Mitakshra laws. The laws of Manu basically emphasized a balance between duties and rights. Added to that, these divine laws prescribed a set of obligations and responsibilities for individuals, which were considered essential for maintaining social order. However, with the enactment of Indian Constitution in 1950, a shift could be witnessed in the socio legal aspect of India. The Constitution, primarily placed its significant emphasis on the protection and promotion of individual rights which is enshrined in the Fundamental Rights. Consequently, the duties of the states are also prescribed in the form of Directive Principles of State Policy but there is lack in enforcement of these principles because these principles prescribes a mere duty which could not be enforceable before the court of law as a matter of right.

This research aims to explore the historical transition from a duty-centric to a right-centric legal framework in India. It seeks to analyse the implications of this shift on societal values, legal practices, and individual behaviour. The study will also investigate on whether the discrepancies in implementation of duties have led to an imbalance in the society and justice system. Finally, it tries to analyse whether a re-emphasis on duties could contribute to a more harmonious and responsible society.

SCOPE AND LIMITATION

This research paper investigate and analyse about the drastic changes that have been taken place in the area of fundamental rights and duties from the ancient period to the present day. Paper also tries to analyse the existing legal framework and their efficacy on applicability. Furthermore, this paper will delve upon the shift of weightage between fundamental rights and duties. Therefore, this research paper is limited and confined only to the comparison of fundamental rights and duties in par with the same in present day and the relevance of Vedas, human rights and constitutionality of those rights and duties.

RESEARCH OBJECTIVE

Firstly, the objective of this paper is to specify the growth and evolution of fundamental rights and duties from the Vedic period and the shift of importance that are given to those rights and duties in the present days. Secondly, it tries to highlight the efficiency on the enforcement of these rights and duties in the legal arena and addresses the discrepancies that are involved. Thirdly, it tries to portrays the major role that is played by the legal and judicial system in shaping the fundamental rights and duties. Lastly, it focuses on how the idea of dharma and Vedas are used as a foundational base for the present legislation and enactments.

RESEARCH QUESTIONS

1. Whether the importance that are given to fundamental rights and duties are same as that of ancient times?
2. Whether there are any discrepancies in the enforcement of these rights and duties in legal arena?
3. Whether the legal and judicial system plays a major role in shaping of the fundamental rights and duties?
4. Whether the present legislations and the enactments are still based upon the dharmas and values that are established and followed in Vedic period?

RESEARCH METHODOLOGY

The methodology used for the existing research paper is purely doctrinal. The data used for this research is based both on primary and secondary data where the primary data would be

such as the Constitution of India and secondary data would be other reference materials such as research papers, literatures and other articles associated with this topic.

(II) EVOLUTION OF DUTIES AND RIGHTS IN VEDIC PERIOD

Ancient Indian Society were functioning based on the Vedas, Upanishads and smritis such as Manusmriti, Dhayabhaga, Naradha and other smritis, shastras and dharmas. People used to follow those rules and regulations as prescribed in these texts. But there is one drawback is that these smritis and other Upanishads were not addressing and prescribing a uniform practise. In the sense different interpretations occurred and many confusions have arisen like which text to be followed and what have to be followed. So, this confusion would be sorted out by the pandits and Kings who were entitled to adjudicate the matter related to the area in which their power is vested upon. Even if anyone has violated the rights and duties also it would be brought before the King's court to seek justice where he will decide based on the lines mentioned in dharma and other textbooks which were the primary source of adjudicating a matter. There are certain rules for the King also to decide the matter which would be prescribed in Raj Dharma. In Short, Raj Dharma states that the King should decide only based on the merits and must not show any favouritism or must not decide based on his own interpretations. He must adhere to the principles of dharma and to advise him there would be pandits and councils in his ministry itself who would be regarded as interpreters or guardians of Dharma and other legal principles. During ancient India, Dharma is basically defined as - duties to oneself, to one's family, to other fellowmen, to the society and the world at large.¹ Which clearly states that dharma is an act which is performed by one person in order to fulfil the needs or rights of another person. Any act or performance which is done to society at large will also be considered as dharma.

The most important observation which could be pointed over here is that king has always been placed with an obligation to adhere the duties conferred to him according to raj dharma. As a King, he should always stand by the side of justice and should always decide a matter based on its merits without showing any partiality to the parties in front of him. When it comes to the delivering of judgements during ancient period, Tamil rulers of that time have a special place in it. It is to believe a fact that one may consider that the Tamil kings have upheld dharma during their regime. In Tamil, there is a famous phrase which tells about how a king

¹ Dr. Ramesh Baboo, Human Rights and Ancient India 3(4) IJRAR- International Journal of Research and Analytical Reviews, (2016).

shall deliver the judgement, What are all the things that should be considered before giving a judgement, What makes him uphold dharma, etc., the phrase is:

“காலம் அறிந்து ஆங் இடம் அறிந்து

மெலும் தாம் சூழ்வன் சூழ்ந்து

துணைமை வழி தெரிந்து

ஆள்வினை ஆள படும்”.

This means, when a judgement is delivered by a King, “he should know the time, place and circumstances of the matter on which he is going to decide, know the people and their mindset in his surrounding, added to it he should also know about how his judgement affects society at a large. By considering all these circumstances he should deliver the judgment”. And that’s how the judgements have been delivered by the kings during ancient period.

(III) USAGE OF MORALITY IN DETERMINING THE RIGHTS AND DUTIES

The concept of morality has arisen from the people’s thought. It is simply to say that morality is just a point of view of a particular person about a particular matter. In other words, morality means it is the distinction between what is good and what is wrong. Morality won’t be same because it differs from people to people according to their thoughts and point of view. One thing which is moral to someone will not be moral to the others. While using morality in determining the rights and duties of a subject, one must do their duty to uphold the morality without foreseeing the results arise of it.

“ कर्मण्येवाधिकारस्ते मा फलेषु कदाचन |

मा कर्मफलहेतुर्भूर्मा ते सङ्गोऽस्त्वकर्मणि || ”²

Bhagavad Gita 2:47

In Bhagavad-Gita, under verse 2:47, it is said that one must perform the duty which is to

² Bhagavad Gita -The song of God, <https://www.holy-bhagavad-gita.org/chapter/2/verse/47>, (Last visited Sep.24, 2024).

be done by him, but he should not be concerned about the results of that duty. So, from these lines one may clearly assert a point that everyone is vested with a duty to perform rather than considering about yielding of results of those duties.

Apart from being mentioned about all these rights and duties, Morality plays a vital role in determining the individual rights because there was no established court system and laws or legislations in olden days. The only base which is available to determine the right and wrong is morality. Basically, in short Morality is the ethics or moral way of acting, which determines what is right and what is wrong before the eyes of the society. Although it used to determine the right and wrong, the binding nature towards this will be very hard as it differs from person to person. For example, a person who is providing charity to a needy person is morally good but it's not necessary that every person has to give charity so this may be morally wrong but according to the eyes of law it is not having any ground to impose sanction for not accompanying the moral standards which is set out by the society. As time passes, society has modernized and the difference of opinion among people have increased which resulted in a many chaotic ways and further as a solution to this, the introduction of legislations and laws towards the society in the form of codified manner helps every individual to act in a uniform way. But for the enactment of these codified laws this morality was used but it is much debatable whether morality is the basis for creation of law or law and morality are independent to each other. In earlier days there were no distinctions between Law and Morality because both used to determine the rights and duties of a person. But in today's world, even though there is no direct connection between law and morality, morality plays a substantive role in law and legal development. Not only law, even the judgements are given not only by applying the provisions but also based on the application of morality. In ancient India, the term Dharma connoted both law and morality. As law is not only the rules which are enacted by the sovereign person it must also meet certain parameters in order to make it effective and binding. It also includes justice, equity and good conscience which was earlier used by the Britishers to decide the cases and used as a base for creating the laws and legislations apart from that, it also includes the customary practices and customs which also acts as a contributor as a source of law which in turn prescribes the rights and duties.

(IV) INVASION OF BRITISHERS

The situation changed with related to administration when Britishers invaded India, initially they came to India for carrying out trading purpose in the form of East India Company

but later on, they completely took the administration of India into their control and enacted certain rules and regulations in the form of codified laws and Charters because they found it difficult to administer based on the customs and other practices which was followed in India due to interpretations and difference existed with each texts and a uniform rules or regulations were not present in Ancient India. Moreover, there were only religious activities prevailed in Vedic period and there was no effective system to regulate the administration of these rights and duties further, the lack of established court system to regulate the administration of justice too. To counter these drawbacks and to channelise the administrative system. They have introduced the court system to settle the disputes related to the trade and other matters concerning to them. There is also a drawback in it because the courts which were established by the Britishers was not to administer and to render justice to Indian. It was only focusing on the infringement of rights towards British subjects and to settle the conflicts related to Britishers. Further, it also granted certain rights to the East India Company like granting license to the manufactures, to carry out trade and other related aspects, high taxes on Indian Handicrafts, Indian products, etc., and some duties were also vested on Zamindars like they have to collect taxes from the peasants and other people and has to deposit to the company. Later on, when the administration changes from East India Company to the British Crown the system of administration had some changes and improvements has been adopted in order to make in a more systematized way by passing and enacting acts and legislations like Government of India Act, 1919, 1935 and many other similar acts. Whereby, these acts has given and prescribed some duties towards the native people that is Indians rather than completely favouring British subjects.

(V) DUTIES AND RIGHTS IN INDEPENDENT INDIA

India after attaining independence those concepts of rights and duties has evolved in the form of Fundamental rights and duties which is enshrined in the Constitution of India. But in modern days of India, the duties itself evolved into various branches such as legal duties, moral duties, ethical duties and fundamental duties. The binding effect of these duties are completely different with each other. For example, if a person is not giving charity to a needy person is considered to be a moral duty and there is no legislation or legal duty which is vested on a person to give charity. So, moral duties won't be having any binding effect that is legal sanctions won't be imposed on a person for violating or not following the moral duty but society would impose sanction on them. Apart from these there are certain duties which are not

only prescribed to individual but also imposing an obligation and duties towards the State in the form of Directive Principles of State Policy (DPSP) which is defined in Chapter IV of the Indian Constitution. Further, by understanding the definition of duty enables to understand in a clearer manner of what is duty in the present era, “the moral obligations of all citizens to help promote a spirit of patriotism and to uphold the unity of India, which concerns as individuals and nations”³. When it comes to modern form of definition, it doesn’t completely deviates from the concept of Dharma only the way of understanding dharma has changed a bit and understood as the fundamental duties and rights of a citizens whereby it also does the same function as Dharma does it prescribes the rights which is guaranteed through Constitution and State that is the government would be considered as protector of these fundamental rights and State can’t impose any law which hinders or against the Fundamental rights.

(VI) CONTROVERSY BETWEEN FUNDAMENTAL RIGHTS AND DIRECTIVE PRINCIPLES OF STATE POLICY

As mentioned earlier, there are some duties which are imposed towards the State too in the form of Directive Principles of State Policy (DPSP). Here also there are grounds for confusion that is whether State can enact laws as mentioned in DPSP when it affects the fundamental rights. Hence whether fundamental rights or the DPSP would be prevailing if in case there is any clash between these two things which one would be prevailing. If importance is not given to DPSP will that be considered as dormant provisions. All such answers has been provided by the Judicial decisions where courts have ruled that DPSP are considered to be the goals of the State which States must thrive to achieve it and if any overlaps occurs between the Fundamental rights and Directive Principles of State Policy then Fundamental Right only will be super ceiling over DPSP. The Solution to other issues is also the same for example, Article 44 of the Indian Constitution States that Uniform Civil Code must be adopted throughout the country. But till, there is no such effective implementation of this Article into the real life. It is just considered to be the goal of the State and every State is taking necessary action to enforce the Article into the practical life.

(VII) DUTIES AND RIGHTS IN MODERN SOCIETY

In ancient society, Dharma has been derived from Vedas, Upanishads, shrutis and smritis. But one defect is that there were many interpretations due to the lack of written documents in

³ INDIA CONST. PART IV A, Fundamental Duties, Sec.51A.

the sense it was not available in a codified manner. Whereas, to break this hindrance of not been codified, this customary practice has been codified in the form of legislations also. The example is Hindu Adoption and Maintenance Act, 1956⁴ where this act provides an example for recognition of customary practices into codified legislations. Where this act is mainly enacted in order to systematize and regulate the adoption which takes place between Hindus in par with their customary practices related to adoption. Similarly, in modern society in order to effectively implement the rights and duties, the legislature or the sovereign has reduced it into writings and codified it as a law and enabled it into our Indian constitution which binds the individual in everyday life. In our Indian constitution under Chapter IV imposes an obligation or duty for the State to protect and promote the welfare measures for the citizens or the subjects like giving education to children, protecting environment, making possible steps in order to get adequate means of livelihood and raise the level of nutrition like this many duties and obligations has been vested upon the State by the constitution. So, State must act accordingly and must fulfil all those duties and obligations.

Apart from being written into text alone doesn't pave a way for effective implementation. Unlike in the Vedic period sanctions would be imposed on those who intend to violate the rights and duties which is vested upon them. Similarly, currently legal sanctions would be imposed on the person who violates the rights and duties of other person or even if he infringes the other person rights sanctions would be imposed and appropriate damages would be given which is the legal remedy available to the person for whom his right has been violated. As far as Fundamental right is concerned State is the ultimate protector of fundamental rights and can't impose any rules or regulations in such a way which violates the Fundamental rights of the individuals. Apart from all these things, in the present generation it has gone a way beyond and made Fundamental rights as the Basic structure Doctrine of the Indian Constitution whereby it means that no one is having the sovereign to remove or exclude the fundamental rights. If any individual or any authority has done anything which has infringed the fundamental rights then the individual can file Writ petition under Article 32 and Article 226 of the Indian Constitution before the Supreme Court and High Court.

This pattern of filing writ petitions for the enforcement of fundamental right might be somewhat seems to be a practice which has been adopted from the Britishers. But in our Vedic Period itself there existed a similar pattern where King's court was established to render justice

⁴ Legislative Department, <https://legislative.gov.in>, (last visited Sep. 24, 2024).

if anyone's right or duty has been violated. Currently, the State would be considered as protector of Fundamental Right, but earlier King was considered to be the protector of Rights and Duties as prescribed in the Dharma and he is entrusted to guide and must lead the society as per the rules prescribed in Dharma which is the ultimate duty of the King.

(VIII) SHIFT IN THE IMPORTANCE FROM FUNDAMENTAL DUTIES TO FUNDAMENTAL RIGHTS

There was shift with related to the importance being given to Fundamental Rights over the Fundamental Duties because the position was vice versa during the ancient Vedic period, where duties were given importance over the rights. As the society and every individual related every action in connection with religious practices and were following those principles which is mentioned in religious textbooks the weight age which has been given to right is minimal and duty would be considered very important. As they believed that it is the duty of every individual to perform and act according to the rules and regulations as prescribed in the religious textbooks. If anyone violates those duties it would be considered as violating the god and salvation could not be achieved. The idea and concept of salvation was considered as vital important for the individual on those days because it relieves a person from attaining birth again to this world. This is the ideology which is present behind the concept of salvation so, every individual was completely following up the duties as prescribed in the texts to achieve this salvation. As society keeps on progressing major changes occurred and a complete shift has taken place in the importance given Duties over Rights. The reason for such change is because the change in the minds of the individual and society. In order to explain these Statement inferences could be drawn from the Western Philosophy, where Jeremy Bentham and other Social Contract Thinkers like John Locke, Rousseau and others explained the evolution of rights and protection which State must give to the citizens. Under Social Contract theory, it is said that individual in the State of Nature, where there won't be any body to prescribe right and duties and there is no regulation where individual can act according to their own wishes. So, there must some sort of authority or sovereign person has to be established to whom some of the rights of the individual has to be surrendered and in return, he will grant him the security and other rights which are necessary for the individual protection.

The major reason for citing the above philosophy is that earlier, people were confined only to duties in the sense they were abiding and following as per the religious texts so there is no malafide intention was existed in the minds of the people and everyone had a belief that they

are performing an immoral activity. But later on, the minds of the people has changed and led to infringement of rights of other people like they started to illegally possess other person's property, theft, greed and all such things has started which has ruined the peace and harmony of the society. So, the need of right towards the individual has been felt and importance has been given to right over duties and made punishable if some violates the rights of another individual. At the same time, it doesn't mean that duties are not important duties just prescribe the obligation which an individual must follow in order to lead and harmonize the society in a peaceful manner.

(IX) JUDICIAL PRECEDENTS ON FUNDAMENTAL RIGHTS

There existed a huge confusion and many conflicts has raised with related to the inclusion of Fundamental rights into the basic structure doctrine of the Indian Constitution and Judicial application to determine the applicability of its enforcement when it comes to Basic Structure Doctrine. All these conflicts have been settled down through various case law, percents and amendments to the Indian Constitution. Although there existed a series of case laws, the notable case law with related to determination of inclusion of fundamental rights into the basic structure doctrine and with regard to amendment it starts from the case of *Champakam Dorairajan v. State of Madras*⁵ whereby the facts of the case were that the petitioner was denied of procuring a seat in medical college due to the existence of reservation which is given by the State under Communal Reservation Act, 1927 to certain class of people as prescribed in the act⁶. And accordingly, Supreme Court has held that the reservation made on the basis of Caste is considered to be violation and it also affects Article 13 and 14 of the Indian Constitution because it States that everyone should be treated equally and there should not be any discrimination based on the religion, caste, gender, etc., but there is a provision under DPSP which allows the State to create laws which benefits the backward class and promote their upliftment. So, the issue of which has to be given weight age was also decided in the case and stated that whenever any conflict occurs with related to weight age given to Fundamental Rights and DPSP. Fundamental Rights would prevail and has higher importance than compared to DPSP. The next case law in order is that *Golaknath v. State of Punjab*⁷ In this case, the determination of Right to Property as Fundamental Right or not has been dealt whereby the court Stated that since, the State is considered to be the protector of Fundamental rights it can't

⁵ *Champakam Dorairajan v. State of Madras*, AIR 1951 SC 226.

⁶ Communal Reservation Act, 1927, No. , Acts of Parliament, 1927 (India).

⁷ *Golaknath v. State of Punjab*, 1967 AIR 1643.

initiate any action against the Fundamental right and Right to Property was enshrined as Fundamental right due to which State can't acquire any land from the individual to carry out any development of infrastructural activities. So, through the amendment they took away the Right to property as fundamental right and just made it as legal right.

The other important case law which has to be noted is that *Kesavananda Bharati v. State of Kerala*⁸ whereby in this case it was decided that, the Fundamental Rights could be amended but it must be subjected to judicial review. If such amendment results in the infringement of the principles enshrined as a part of the basic structure doctrine. It also Stated that Fundamental rights can be amended in such a way which doesn't completely resulting in removing off those rights and could be amended by two third majority of each house of the parliament. The other case law is that *Minerva Mills v. Union of India*⁹ which Stated that DPSP can be achieved in a way which doesn't affect the Fundamental Rights or the Basic Structure of the Indian Constitution and if there is any conflict between DPSP and Fundamental Rights then Fundamental Rights would prevail and DPSP would be considered as Subsidiary to the Fundamental Rights.

In order to understand in a very clear manner, it is necessary to understand about the difference between Fundamental Rights, Directive Principles of State Policy and Fundamental Duties which is provided in the form of table as mentioned under

⁸ *Kesavananda Bharati v. State of Kerala*, AIR 1973 SC 1461.

⁹ *Minerva Mills v. Union of India*, AIR 1980 SC 1789.

BASIS	FUNDAMENTAL RIGHTS	DPSP	FUNDAMENTAL DUTIES
Provision	Fundamental Rights are mentioned in Part III of Indian Constitution from Article 12-35.	Directive Principles are mentioned in Part IV of Indian Constitution from Article 36-51.	Fundamental duties are mentioned in Article 51-A of 42nd Amendment Act, 1976 in Chapter IV A.
Meaning	Fundamental Rights are the basic rights that are guaranteed to the citizens of India to attain dignity and decent standard of living.	Directive Principles are the set of guidelines that should be followed by the government while framing policies.	Fundamental duties are the moral obligation to all citizens to help promote a spirit of patriotism and to uphold the unity of India.
Purpose	Fundamental Rights helps to promote the welfare of each and every right of the citizen.	Directive Principles help to promote the welfare of the entire community by framing good legislation.	Fundamental duties help to remind every citizen that they should be conscious of their duties to which they are obligated.
Punishability	Violation of Fundamental rights is punishable.	Violation of Directive Principles are not punishable.	Violation of fundamental duties will not be considered as serious as fundamental rights.
Enforceability	Fundamental Rights are justiciable and can be enforced in court of law.	Directive Principles are not justiciable and cannot be enforced in court of law.	Fundamental duties are not justiciable and not punishable in court of law.
Application	Fundamental rights are considered as a kind of restriction on the State.	Directive principles are considered as a direction for the government to formulate policies.	Fundamental Duties are considered to be the moral obligation of all citizens.

Suspension	Fundamental Rights can be suspended at the times of Emergency other than Article 20&21.	Directive principles can never be suspended under any circumstances.	Fundamental duties can be suspended at the time of Emergency by the President of India under Article 359.
Taken from	Fundamental Rights were borrowed from the Constitution of the United States of America.	Directive Principles are borrowed from the Constitution of Ireland and Spain.	Fundamental duties were added to our constitution by 42nd Amendment Act, 1976 by the recommendation of the Swaran committee.

(X) FUTURE OF RIGHTS AND DUTIES

In the 21st century and beyond, the concepts of rights and duties will undergo significant transformations due to technological advancements, globalization, and changing societal values. The digital age has ushered in new rights related to right to privacy, right to freedom of speech and expression, and right to access to information, etc. Moreover, the usage of internet becoming an integral part of our daily life, digital rights have also gained prominence in the society. Individuals now expect their online activities to be private and secure, leading to debates and discussions about data protection, surveillance, and internet freedom.

Biotechnological advancements have also introduced new challenges and considerations regarding rights. Genetic engineering, cloning, and other biotechnologies raises ethical questions about genetic rights, bioethics, and the rights of future generations. As these technologies continue to develop, there's a growing need to establish frameworks and regulations that protect individual rights while also maintain in fostering the innovation and scientific progress.

Environmental rights have become increasingly important and prevalent in the 21st century, especially as the impacts of climate change has become more severe. There are many global movements to recognize the rights of nature and right of future generations to have a healthy environment. This includes the right to clean air and water sanitation, biodiversity protection, and sustainable development. As the consequences of environmental degradation become more apparent, individuals and communities are advocating for stronger environmental protections and responsibilities.

Intersectional rights are also one kind of emerging rights which address the interconnected nature of various forms of discrimination and oppression, have also gained traction in the 21st century. Issues related to gender equality, LGBTQ+ rights, indigenous rights, and racial justice are at the forefront of social and political debates. There's an increasing recognition that rights are not same every time but must take into account the unique experiences and challenges faced by different groups.

Alongside the expansion of rights, there's also a growing emphasis on duties and responsibilities in the 21st century. In the digital realm, individuals have a duty to be digitally literate, responsible, and ethical. This includes understanding the implications of sharing personal data online, being mindful of the spread of misinformation, and using technology responsibly.

Environmental responsibilities have also come to the forefront, with individuals, businesses, and governments being urged to adopt sustainable practices, reduce carbon emissions, and protect biodiversity. As the global community grapples with the challenges of climate change, there's a collective duty to act responsibly and mitigate the impacts of human activities on the planet.

Socially, there's a duty to promote equality, challenge systemic inequalities, and actively participate in civil and social life. This includes voting, advocating for social justice, and being an active member of one's community etc. As societies become more interconnected and diverse, there's an increasing recognition that everyone has a role to play in creating a more just, equitable, and inclusive world.

Challenges lie in balancing individual rights with collective responsibilities, particularly in the digital realm where technology can both empower and infringe upon rights. Additionally, addressing global issues like climate change, poverty, and conflict requires collective action and shared responsibilities that transcend national boundaries. As we navigate these complexities, it's essential to uphold the principles of human dignity, equality, and justice, while also recognizing our shared responsibilities to each other and the planet.

Therefore, the 21st century has brought about significant changes in the concepts of rights and duties, driven by technological, environmental, and social developments. While new rights have emerged in response to these changes, there's also a renewed emphasis on responsibilities

and duties. As we move forward, it's crucial to strike a balance between protecting individual rights and promoting collective responsibilities, ensuring that everyone can enjoy their rights while also fulfilling their duties to each other and the planet.

(XI) CONCLUSION AND ANALYSIS

As a final note of this research paper, it is understood that the rights and duties which existed in the early Vedic period only has transformed into Fundamental Rights and Duties in this current world in the form of codified legislation. Although the difference or the imbalance with regard to the importance which is been given to fundamental rights and duties differs also the ultimate purpose has been served that is it gives the security towards the people and enables to run the society by the government in a more appropriate manner. Fundamental Rights that is from Article 19(1)(a) to 19(1)(g) which includes freedom of speech and expression, form associations, carry out trade, business and to assemble without arms all such rights are guaranteed by the constitution and protected by the State too. It is evident that for the development of fundamental rights and duties the major roles played by the system of Vedas and ancient works of literature. But the major matter to be taken consideration here is that, the new ideas could only help in evolution but there should be something existing already to give the base. Vedic textbooks and literary works have helped in it. Hence, they played the role of the base to constitute the existing evolutionary ideas and views so the important concepts like Dharma, Righteousness etc. Were already existing in the literature it's we modified according to our societal conditions and situations. Hence understanding the new concepts is important as they are derived from the old concepts. The duties are not a new thing in the statutes as they are coming from the constant evolution of the theory. Through the changes in social circumstances and societal structure alone the development and progress of the system can be achieved. Hence the existences of a codified and developed system with the help of concepts based on ideologies prescribed in the ancient textbooks are very important. The major aim of the system is also to develop the sense of progress and development compared with various factors that are responsible for the changes in the social and cultural structures. Here in the factors related with development consist of various things hence an overall improvement in the system is necessary. The changes are part of our daily structure hence there should be changes in the legal system as a part of law and progress.

The aim of judiciary is to develop the rights and duties according to the provisions prescribed under the constitution. The major role played here is by the judicial precedents to

include the various factors, like cultural ethnic and other factors associated with it. The role of judiciary has a huge impact in the system hence the judicial pronouncements will also have that impact. In the case of the development part, the prime interest and focus is given to the society and the cultural divisions influencing the same. Through the development of the system of PIL (Public Interest Litigations) in India the locus standi principles are also relaxed hence anyone can approach the court for the remedies needed for their rights. Through the development of the system of Fundamental Rights and Duties has guaranteed the protection to individuals and properly been enforced in the current generation without any hassle and since, the State is considered to be the guardian of these rights and duties it is implemented in a proper way which enables the society to develop and progress in a more sustainable way and there is no much differences and grants equal opportunities so the society and the individual develop simultaneously without any drawbacks.

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