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DIRECTIVE PRINCIPLES OF STATE POLICY Part IV of the Constitution. (Article 36-51)

These principles are in the nature of directives to the government to implement them for establishing social and economic democracy in the country.

Non-justiciable in nature (i.e. they are not legally enforceable by the court of law) its obedience or implementation cannot be secured through judicial proceedings but still these are fundamental in the governance of the country

IRISH
NOVEL FEATURE
OF CONSTITUTION



Directive Principles of State Policy

Part IV, Articles 36 to 51

- * This part also called **Sister of Fundamental rights** and Conscience of the Constitution.
- * The idea has been incorporated from the Constitution of **Ireland**.
- * This part is **not enforceable by law**.



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On the basis of their content and direction they divided into 3 parts 1)Socialist 2)Gandhian 3)Liberal

Socialist	Gandhian	Liberal-Intellectual
38, 42, 39, 43, 39A, 43A, 41, 47	40, 47, 43, 48, 43B, 46	44, 49, 45, 50, 48, 51, 48A

Liberal Principles:-

Uniform Civil Code :- **Art 44**

Free & Compulsory Education upto age 14:- **Art45**

Modernise agriculture & animal Husbandry:- **Art48**

Protect environment, forests & Wild Life :- **Art 48A**

Protect monuments of national importance:- **Art 49**

Separate the Judiciary from the executive:- **Art50**

Promotion of International peace & Security:- **Art51**

Gandhian Principles

Empowerment of village Panchayat :- Art 40

Promote Cottage Industries :- Art43

Promote Voluntary formation, autonomous functioning of
Co-operative Societies :- Art43B

Promotion of SCs, STs & weaker sections:- Art46

Prohibition of intoxicating drinks,drugs/Alcohol:-Art47

Prohibit the Slaughter of Cow:- Art 48

Remaining Articles of DPSP

Information of the State :- Article 36

DPSP are not enforceable by law:- Art37

Secure & Protect Social order :- Art38

Free legal aid to the poor :- Art 39A

Right to E, RTW, RTP.A:- Art 41

Humane conditions of work & Maternity relief:-Art42

Secure participation of workers :- Art 43A

Nutrition of public health:- Art 47

Art 39:-

- a) Adequate means of Livelihood to all citizens.
- b) Proper distribution of material resources
- c) Equal pay for equal work for men & women
- d) Protection of strength & health of workers
- e) Protection of Wealth to common detriment

Health and wealth equal work of men & women are depends on livelihood and material resources

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Fundamental Rights	Directive Principles of State Policy
Part 3 of the Constitution of India contains the Fundamental Rights guaranteed to the citizens of India. Articles 12-35 of the Constitution of India deal with Fundamental Rights.	Directive Principles are written in Part 4 of the Constitution of India. They are given in Articles 36-51 of the Constitution of India.
The basic rights that are guaranteed to Indian citizens by the Constitution of India are known as Fundamental Rights	Directive Principles of the Indian constitution are the guidelines to be followed by the Government while framing policies.
Political Democracy is established in India with the help of Fundamental Rights given in the Constitution of India.	Economic and Social Democracy is established with the help of the Directive Principles of State Policy
The welfare of each and every citizen is promoted through the Fundamental Rights	The welfare of the entire community is fostered with the help of Directive Principles.
As per the law, the violation of Fundamental Rights is punishable.	Violation of Directive Principles is not a punishable crime unlike violation of Fundamental Rights
Fundamental Rights are justiciable as they can be enforced legally by the courts if there is a violation.	Directive Principles are not justiciable as they cannot be enforced by the courts if there is a violation.
If there is a law which is in violation of fundamental rights then the courts can declare it as invalid and unconstitutional.	If there is a law in violation of Directive Principles, then the courts do not have the power to declare it as invalid and unconstitutional.
Fundamental Rights are sometimes considered as a kind of restrictions imposed on the State.	Directive Principles are directions for the Government in helping it to achieve some particular objectives.
Fundamental rights can be suspended during a national emergency. But, the rights guaranteed under Articles 20 and 21 cannot be suspended.	Directive Principles of State Policy can never be suspended under any circumstances.
Fundamental Rights were borrowed from the Constitution of the United States of America	Directive Principles of State Policy were borrowed from the Constitution of Ireland which was in turn copied from the Constitution of Spain.

In the wider sense, State has been defined as all agencies involved in making and implementing laws.

STATE

All of them Represents 'STATE'

Central Government

Parliament

State Governments

State Legislatures

Local Authorities

Other Statutory & non-Statutory Authorities

The provisions contained in this Part shall not be enforceable by any court, but the principles therein laid down are nevertheless fundamental in the governance of the country and it shall be the duty of the State to apply these principles in making laws.

DPSP

- Free Legal Aid
- Living Wages
- Public Health

Socialist Principles

ARTICLE 38, 39,
39A, 41, 42, 43, 47

Part - II



Article 38 - Promote the welfare of the people by securing a social order through justice—social, economic and political—and to minimise inequalities in income, status, facilities and opportunities

social order



Word forms: social orders

VARIABLE NOUN

The **social order** in a place is the way that society is organized there.

...the threat to social order posed by right-wing extremists.

Social justice - Social justice is that all people should have equal access to [wealth](#), health, well-being, justice, privileges, and opportunity regardless of their legal, political, economic, or other circumstances

Economic justice is the idea that the economy will be more successful if it is fairer: that prosperity and justice go hand-in-hand rather than in opposition to one another.





1.1

- First, economic justice about creating a successful economy that achieves sustainable growth
- It means improving productivity, the measure of what you get out for what you put in.
- Economic justice is about making sure that the benefits of that growth go to people rather than profits
- Political justice means equal, free and fair opportunities to the people for participation in the political process. It stands for the grant of equal political rights to all the people without discrimination.

Article 39

The policies made by the state must have the following objectives:-

- **Citizens of the state must have a means to livelihood.**
- **Distinction on the basis of caste sub caste creed religion race language and sex should be removed.**
- **Equality of opportunity should be the bedrock of social integration.**
- **Foundation of economic empowerment should be equality of status dignity and equal opportunity**



- **Things sent by the state should be distributed among the citizens equally.**
- **The functioning of an economic system should be in such a way that there is no loss to the people on common terms.**
- **There should be no gender discrimination.**
- **Work should be allotted accordingly and the citizen should not be exploited. Opportunity for children should be provided to grow without boundations.**



Article 39A

Free legal aid.

State shall promote justice.

State can provide free legal aid by any legislature under any scheme.

Every citizen of the state shall have an equal opportunity to secure justice.

Article 41

Welfare Government

State shall make effective provisions for securing the right to work.

Public assistance should be provided in case of old age unemployment or disablement.

Principle for numerous social sector schemes.



Article 42

Securing just and humane work for maternity relief.

State shall make provisions for good working conditions.

They must be easy just and humane conditions for working.

Women who are pregnant during the term of office should be provided with maternity relief.



Article 43

Fair wages and a decent standard of life.

Workers engaged in agricultural, industrial or otherwise work should be provided with a decent standard of living.

State shall look after the small cottage industries and help in their promotion.

Article 47

Nutrition, the standard of living and public health.

The state shall ensure that the backward and financially insufficient classes should be provided with a good level of nutrition and a good standard of living.

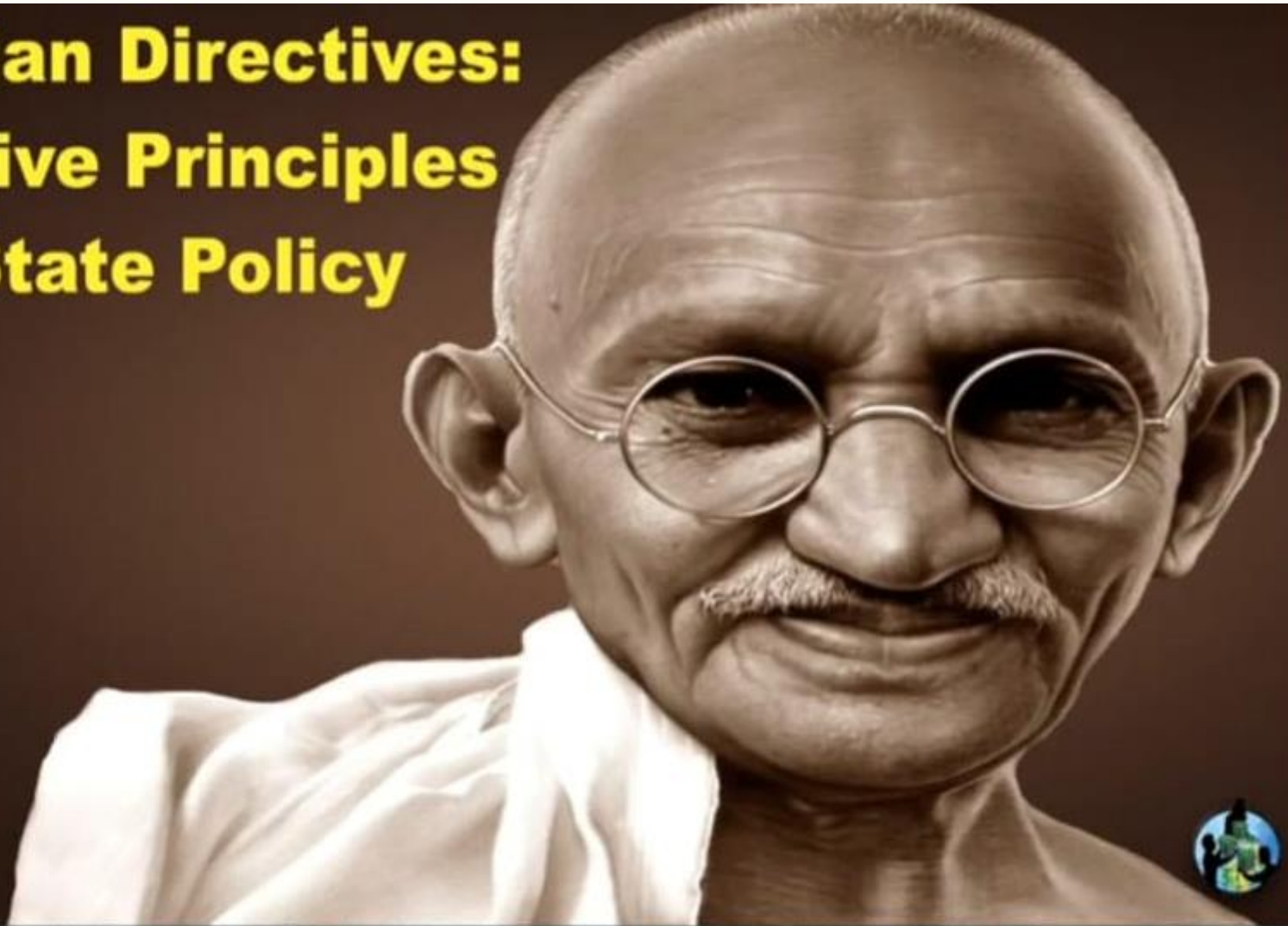
It is the duty of the state to increase public health.

State shall look after the consumption of intoxicated drinks and drugs within the state except those used for medical purposes.

State has many social development programmes such as the National health mission, mid-day meal schemes etc. which look after the marginal section of the society.



Gandhian Directives: Directive Principles of State Policy



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What is meaning of Gandhian directive?

Gandhian directive means the **bundle** of ideas **inspired** from the **Gandhi ji's** visions, thoughts, and his life work.



Article 40

"The State shall take steps to **organise** **village panchayats** and **endow** them with such powers and authority as may be necessary to **enable** them to function as units of self-government."



Article 43

"The State shall **endeavour to secure**, by suitable legislation or economic organisation or in any other way, to all workers, agricultural, industrial or otherwise, work, a living wage, conditions of work **ensuring** a decent standard of life and full enjoyment of leisure and social and cultural opportunities and, in particular, the State shall endeavour to **promote cottage industries** on an individual or **co-operative** basis in rural areas."



- **Article 43B**
- **“Promotion of co-operative societies –**
The State shall endeavor to promote
- voluntary formation,
- autonomous functioning,
- democratic control and
- professional management of
- co-operative societies”

Article 46

"The State shall **promote** with special care the educational and economic interests of the **weaker sections** of the people, and, in particular, of the **Scheduled Castes** and the **Scheduled Tribes**, and shall protect them from social injustice and all forms of exploitation."



Article 47

"The State shall regard the raising of the **level of nutrition** and the standard of living of its people and the **improvement of public health** as among its primary duties and, in particular, the State shall **endeavour** to bring about **prohibition** of the consumption **except** for medicinal purposes of intoxicating drinks and of drugs which are injurious to health."



Article 48

"The State shall **endeavour to organise** agriculture and animal husbandry on modern and scientific lines and shall, in particular, take steps for preserving and improving the breeds, and **prohibiting** the slaughter, of cows and calves and other milch and draught cattle."



What is meaning of Liberal?

The literal meaning of liberal is **willing** to respect or/and accept behaviours or opinions **different** from one's own; also **open** to new ideas.



Article 44

The State shall **endeavour to secure** for the citizens a **uniform civil code** throughout the territory of India.



Article 45

"The State shall **endeavour** to provide, within a period of **ten years** from the commencement of this Constitution, for **free and compulsory education** for all children until they complete the age of **fourteen** years."



Article 48

"The State shall **endeavour** to **organise** agriculture and animal husbandry on modern and scientific lines and shall, in particular, take steps for preserving and improving the breeds, and **prohibiting** the slaughter, of cows and calves and other milch and draught cattle."



Article 48-A

"The State shall **endeavour** to protect and improve the **environment** and to **safeguard** the forests and wild life of the country."



Article 49

It shall be the **obligation** of the State to **protect** every **monument** or place or object of artistic or historic interest, [declared by or under law made by Parliament] to be of **national importance**, from spoliation, disfigurement, destruction, removal, disposal or export, as the case may be.



Article 50

The State shall take steps to **separate** the judiciary from the executive in the public services of the State.



Article 51

The State shall endeavour to —

- (a) **promote** international peace and security;
- (b) **maintain** just and honourable relations between nations;
- (c) **foster** respect for international law and treaty obligations in the dealings of organized people with one another; and
- (d) **encourage** settlement of international disputes by arbitration.

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Jai Gan Mann Adhinayak Jaya hai...

FUNDAMENTAL DUTIES



FUNDAMENTAL DUTIES

- These were added on the recommendation of *Swaran Singh Committee (1976)*.
- This committee recommended for the inclusion of 8 fundamental duties, the amendment included 10 fundamental duties.
- The Fundamental Duties are borrowed from erstwhile USSR.
- The 10 Fundamental Duties were added to the Constitution in the year 1976 through 42nd amendment.
- At present there are 11 Fundamental duty enumerated by inserting article 51-A in part IV of constitution
- The 11th Fundamental Duty was added in the year 2002 through the 86th amendment of the Indian Constitution.

FUNDAMENTAL DUTIES

To abide by the Constitution and respect its ideals, the institutions, the national flag and the national anthem



Playing of the national anthem before/after a movie

To cherish and follow the noble ideals which inspired our national struggle for freedom



Nehru-bashing.
Operation BlueStar.
Anna Hazare

To defend the country and render national service when called upon to do so



1962 war -
asked volunteers
for policemen

To promote harmony & spirit of brotherhood amongst all the people; to renounce practices derogatory to women



MNS doesn't
wants North
Indians in
Maharashtra

To value and preserve the rich heritage of our composite culture



Taj Mahal
Red Fort

To uphold and protect the sovereignty, unity, and integrity of India



Triple Talaq
Ram Mandir

FUNDAMENTAL DUTIES

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To protect, improve & have compassion towards national environment, including forests, lakes, rivers and wildlife



Aarey
Ganga
Tigress Avni

To develop scientific temper, humanism, and the spirit of inquiry and reform



Mission to Mars
RTI

To safeguard public property and to give up violence



Mob fury. Shiv
Sena burns down
public property
- made to pay

To strive towards excellence in all spheres so that the nation constantly rises to higher levels of endeavour



Make in India
Skill India

Parliament passed a Constitution Act, 1976 (42nd Amendment) that inserted 10 Fundamental Duties.

Later, a 11th Fundamental Duty was added by the Constitution Act, 2002 (86th Amendment)

Parent/guardian to provide opportunities for education to the child between the age of 6-14 years



RTE
Anti Child labour
Scholarships