

UNIT-1

CHAPTER 6

Directive Principles Of State Policy

- Part IV(Article36-Article51) of Indian Constitution describes ‘Directive Principles of State Policy’ (DPSP). This Section of The Indian Constitution prescribes the fundamental obligations of the State to its citizens and the duties of the citizens to the State. It aims To establish a social and economic democracy through welfare state.

Definition

The Directive Principles of State Policy are guidelines to the central and state governments of India, to be kept in mind while framing laws and policies. These provisions, contained in Part IV of the Constitution of India, are not enforceable by any court, but the principles laid down therein are considered fundamental in the governance of the country, making it the duty of the State to apply these principles in making laws to establish a just society in the country.

History

- The concept of Directive Principles of State Policy was borrowed from the Irish Constitution. •The makers of the Constitution of India were influenced by the Irish nationalist movement.

- The principles have been inspired by the Directive Principles given in the Constitution of Ireland and also by the principles of Gandhism; and relate to social justice, economic welfare, foreign policy, and legal and administrative matters.

Difference Between FR And DPSP

- As mentioned earlier, unlike the fundamental rights which are guaranteed by the Constitution of India, the Directive Principles do not have a legal sanction and cannot be enforced in a court of Law .
- FR are more concerned with political justice while DPSP are more concerned with social justice and economic justice.
- FR are kind of negative rights. They lay down certain things that must be done by the state to achieve its objectives unlike DPSP that are a kind of positive rights that lay down certain guidelines to achieve state objectives.

Characteristics DPSPs aim to-

- create social and economic conditions under which the citizens can lead a good life.
 - establish social and economic democracy through a welfare state.
- They act as a yardstick in the hands of the people to measure the performance of the government. The Directive Principles are non-justiciable rights of the people. The Directive Principles, though not justiciable, are fundamental in the governance of the country.

DIRECTIVES....

Article 36:-

- Definition of state: “The State” includes the Government and Parliament of India and the Government and the Legislature of each of the States and all local or other authorities within the territory of India or under the control of the Government of India.

Article 37:-

- Application of the principles.

SOCIALIST PRINCIPLES

Article 38:-

- promotion of welfare of the people.
- Minimize inequality in income,status,opportunities,facilities.

Article 39:-

- Adequate means of livelihood.
- Fair distribution of wealth.
- Equal pay for equal work Socialist Principles

Article 39A:-

- Free Legal Aid

Article 41:

- Right-to work
- Right to education and
- Right to assistance in unemployment,old age,disease and other disabilities.

Article 42:-

- Provision for just and humane conditions of work and
- Securing maternity relief Socialist Principles

Article 43:-

- Living wage, good working conditions etc. , for workers.

Article 43 A:-

- Participation of workers in management of industries.

Article 47:-

- Duty of the State to raise the level of nutrition and the standard of living and to improve public health.

Gandhian Principles(Reconstruction of mahatma Gandhi ji's vision)**Article 40:-**

- Seek participation of people in governance of country.

Article 43:-

- Living wage, good working conditions etc. , for workers.
- Organisation of village panchayats.

Article 43B:-

- Promotion of cooperative societies.

Article 46:-

- Promotion of educational and economic interests of Scheduled castes , Scheduled Tribes and other weaker sections.
- Protect social justice and exploitation.

Article 47:-

- Duty of the State to raise the level of nutrition and the standard of living and to improve public health.

Article 48:-

- Organisation of agriculture and animal husbandry.
- Prohibit Slaughter of Cows.

Liberal Principles

Article 44:- • Uniform civil code for the citizens.

Article 45:- • Provision for free and compulsory education for children

Article 48 A:-

- Protection and improvement of environment and
- safeguarding of forests and wildlife.

Article 50:-

- Separation of judiciary from executive.

Article 51:-

- Promotion of international peace and security.
- -just and honorable relations with different states.
- -encourage settlement of international disputes by arbitration.

- Respect international treaties.

International Principles

1.Article 51(a)- The State will strive to promote international peace and security.

2.Article 51(b)- The State will strive to maintain just and honorable relations among various states in the world.

3.Article 51(c)- The State will endeavor to promote respect for International treaties, agreements, and law.

4.Article 51(f)- The State will strive to settle international disputes by arbitration.

Conclusion DPSPs are-

- non-justiciable rights of the people.
- guidelines to the central and state govts of India.
- not enforceable by any court.
- considered fundamental in the governance of the country.
- It is the duty of the State to apply these principles while making laws to establish a just society in the country.