

citizen, simply on the ground of religion, race, caste, sex or place of birth [Article 15]; by throwing open "public places" to all citizens [Article 15(2)]; by abolishing untouchability [Article 17]; by abolishing titles of honour [Article 18]; by offering equality of opportunity in matters relating to employment under the State [Article 16]; by guaranteeing equality before the law and equal protection of the laws, as justiciable rights [Article 14].

In addition to the above provisions to ensure *civic* equality the Constitution seeks to achieve *political* equality by providing for universal adult franchise [Article 326] and by reiterating that no person shall be either excluded from the general electoral roll or allowed to be included in any general or special electoral roll, only on the ground of his religion, race, caste or sex [Article 325].

Apart from these general provisions, there are special provisions in the Directive Principles [Part IV] which enjoin the State to place the two sexes on an equal footing in the economic sphere, by securing to men and women equal right to work and equal pay for equal work [Article 39, clauses (a), (d)].

The realisation of so many objectives would certainly mean an expansion of the functions of the State. The goal envisaged by the Constitution, therefore, is that of a "Welfare State"<sup>20</sup> and the establishment of a "socialist state"<sup>21</sup>. At the Avadi session in 1955, Congress explained this objective as establishing a "socialistic pattern of society" by a resolution —

From a Socialistic  
Pattern of Society to  
Socialism.

In order to realise the object of Congress. . . and to further the objectives stated in the Preamble and Directive Principles of State Policy of the Constitution of India, planning should take place with a view to the establishment of a *socialistic pattern of society*, where the principal means of production are under social ownership or control, production is progressively speeded up and there is equitable distribution of the national wealth.

How far this end has been already achieved will be explained in chapter 9, where it will also be pointed out how, till 1992, the trend had been from a "socialistic pattern" towards a "socialistic state", bringing industries and private enterprises under State ownership and management and carrying on trade and business as a State function.

That the goal of the Indian polity is *socialism* was ensured by inserting the word "socialist" in the Preamble, by the Constitution (42nd Amendment) Act, 1976. It has been inserted "to spell out expressly the high ideals of socialism". It is to be noted, however, that the "socialism" envisaged by the Indian Constitution is not the usual scheme of State socialism which involves "nationalisation" of *all* means of production, and the abolition of private property. As the then Prime Minister Indira Gandhi explained<sup>21</sup> —

42nd  
1976.

We have always said that we have our *own brand* of socialism. We will nationalise the sectors where we feel the necessity. Just nationalisation is not our type of socialism.

Though the word "Socialism" is vague, our Supreme Court has observed that its principal aim is to eliminate inequality of income and status and standards of life, and to provide a decent standard of life to the working people. The Indian Constitution, therefore, does not seek to abolish private property altogether but seeks to put it under restraints so that it may be used in the interests of the nation, which includes the upliftment of the poor. Instead of a total nationalisation of all property and industry, it envisages a "mixed economy", but aims at offering "equal opportunity" to all, and the abolition of "vested interests".<sup>22-23</sup> From 1992 onwards the trend is now away from socialism to privatisation. Investment in many public