

## Directive Principles of the State Policy

1. They have been mentioned in Part-4 and cover articles from 36-51 of the Constitution of India.
2. Called as **Novel Features** of the Constitution.
3. Inspired by the Irish constitution.
4. Similar to the Instruments of Instructions mentioned in the Government of India Act, 1935.
5. Together with fundamental rights, they are termed as the **conscience of the constitution**.
6. 'Directive Principles of State Policy' denotes the ideals that the State should keep in mind while formulating policies and enacting laws. These are the constitutional instructions or recommendations to the State in legislative, executive and administrative matters.
7. The DPSPs constitute a very comprehensive economic, social and political programme for a modern democratic State. They aim at realizing the high ideals of justice, liberty, equality and fraternity as outlined in the Preamble to the Constitution. They embody the concept of a '**welfare state**'.
8. The Directive Principles are **non-justiciable** in nature, that is, they are not legally enforceable by the courts for their violation. Therefore, the government (Central, state and local) cannot be compelled to implement them. Nevertheless, the Constitution (Article 37) itself says that these principles are fundamental to the governance of the country and it shall be the duty of the State to apply these principles in making laws.
9. The provisions of the Directive Principles are broadly classified into-
  - (a) Socialist principles
  - (b) Gandhian principles
  - (c) Liberal intellectual principles
10. Some Important Articles in DPSPs are :
  - a. To promote the welfare of the people by securing a social order permeated by justice— social, economic and political—and to minimise inequalities in income, status, facilities and opportunities (**Article 38**).
  - b. To secure (a) the right to adequate means of livelihood for all citizens; (b) the equitable distribution of material resources of the community for the common good; (c) prevention of concentration of wealth and means of production; (d) equal pay for equal work for men and women; (e) preservation of the health and strength of workers and children against forcible abuse; and (f) opportunities for healthy development of children (**Article 39**).

- c. To promote equal justice and to **provide free legal aid to the poor (Article 39 A)**. This was added by 42<sup>nd</sup> constitutional amendment act, 1976.
- d. To secure the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement (**Article 41**).
- e. To make provision for just and humane conditions for work and maternity relief (**Article 42**).
- f. To take steps to secure the participation of workers in the management of industries (**Article 43 A**). Also added by 42<sup>nd</sup> constitutional amendment act, 1976.
- g. To organise village panchayats and endow them with necessary powers and authority to enable them to function as units of self-government (**Article 40**).
- h. To promote cottage industries on an individual or co-operation basis in rural areas (**Article 43**).
- i. To prohibit the consumption of intoxicating drinks and drugs which are injurious to health (**Article 47**).
- j. To prohibit the slaughter of cows, calves and other milch and draught cattle and to improve their breeds (**Article 48**).
- k. To secure for all citizens a **uniform civil code** throughout the country (Article 44).
- l. To provide early childhood care and **education for all children until they complete the age of six years (Article 45)**. Also, amended by the 86<sup>th</sup> constitutional amendment act, 2002.
- m. To separate the judiciary from the executive in the public services of the State (**Article 50**).
- n. To promote international peace and security and maintain just and honourable relations between nations; to foster respect for international law and treaty obligations, and to encourage settlement of international disputes by arbitration (**Article 51**).

10. The 86th Amendment Act of 2002 changed the subject-matter of Article 45 and made elementary education a fundamental right under **Article 21A**. The amended directive requires the State to provide early childhood care and education for all children until they complete the age of six years.

11. The 97th Amendment Act of 2011 added a new Directive Principle relating to co-operative societies. It requires the state to promote voluntary formation, autonomous functioning, democratic control and professional management of co-operative societies (Article 43B).

12. The DPSPs are instructions to the State.