

# Difference Between Fundamental Rights and Directive Principles of State Policy

Numerous differences segregate fundamental rights from DPSP. The difference between directive principles and fundamental rights has been enumerated below:

<b>Difference Between Fundamental Rights and Directive Principles</b>	
Fundamental Rights	Directive Principles of State Policy
Fundamental Rights are enumerated in Part 3 of the Indian Constitution of India. Articles 12 to 35 of the Indian Constitution discuss the fundamental rights guaranteed to Indian citizens.	Part 4 of the Indian Constitution of India deals with Directive Principles of State Policy. Articles 36 to 51 talk about DPSP in detail.
Fundamental rights are the basic rights guaranteed by the Constitution of India to Indian citizens.	Directive Principles of State Policy is a set of guidelines to be followed by the Indian government while formulating policies and enacting laws.

<p>The fundamental rights provided by the Constitution of India help to establish a state of political democracy in India.</p>	<p>Directive Principles of State Policy help in India's prevalence of economic and social democracy.</p>
<p>The welfare of Indian citizens is the crux of Fundamental Rights.</p>	<p>Directive Principles of State Policy help the community's welfare at large.</p>
<p>Violation of the Fundamental Rights is punishable by law.</p>	<p>Violation of DPSP is not a punishable crime by law.</p>
<p>In case of any violation, Fundamental rights can legally be enforced by the courts of law.</p>	<p>DPSP are not justiciable in case of any violation.</p>
<p>Even a law enacted by the Government of India can be declared unconstitutional and invalid if there is any violation of Fundamental Rights.</p>	<p>Even if a law does not abide by the Directive Principles of State Policy, no court of law has the right to declare the same invalid or unconstitutional.</p>

<p>Fundamental Rights are often deemed as a type of restriction imposed on the government of India.</p>	<p>DPSP are directions that help the government achieve its goals and objectives lawfully.</p>
<p>In case of any National Emergency, a part of the Fundamental Rights can be discontinued for the time being. However, those enumerated in Articles 20 and 21 cannot be stopped or nullified.</p>	<p>DPSP can never be paused under any prevailing circumstance.</p>
<p>The concept of Fundamental Rights was taken from the United States of America.</p>	<p>Directive Principles of State Policy's concept was taken from the Constitution of Ireland, which was taken from the Spanish Constituency.</p>

## Fundamental Rights Vs DPSP (Directive Principles Of State Policy)

The key difference between fundamental rights and DPSP is the central features of fundamental rights and directive principles lie in the way of legislating the law aided by the Constitution.

- Fundamental rights are the right of every individual provided by the Indian Constitution.
- In contrast, the directive principles support the creation of a welfare state based on financial and social perspectives by applying Gandhian and liberal principles.
- The Constitution can implement fundamental rights; however, directive principles are established in welfare states.

## What are DPSP and Fundamental Rights?

Below are a detailed description of fundamental rights and directive principles of state, including their meaning, features, and objectives.

### Fundamental Rights of Indian Constitution

- Fundamental Rights can be expressed as the basic rights secured to every resident of India under the Constitution.
- These rights provide the balanced and efficient growth of the qualities of the citizens of India.
- These rights are listed in Part III of the Constitution in India, under Articles 12 to 35.
- Fundamental rights also guarantee that civil privileges are offered to all citizens to make them competent to live peacefully.
- These rights bound the State specified under Article 12 of the Constitution from intruding on the citizens' freedom.
- Fundamental Rights assure Political Democracy.
- These rights are given to all citizens of India in an equivalent manner irrespective of their race, ideology, religion, sex, birthplace, etc.
- In case any citizen disobeys fundamental rights, the penalty is included in the Indian Penal Code (IPC) based on the preference of the Judiciary.
- The Parliament has the right to modify the Constitution under Article 368 till these amendments do not break the basic system of the Constitution.

The Constitution of India comprises the following 7 Fundamental Rights:

- Right against exploitation
- Cultural and Educational Rights
- Right to Constitutional Remedies
- Right to Equality (Article 14-18)
- Right to Freedom (Article 19-22)
- Right to Freedom of Religion
- Right to Privacy

### Directive Principles of State Policy in India

- Directive principles of state policy comprise directions or objectives provided to the State and the Central Government of India.
- These principles are to be considered by the Government while passing any law or guidelines.
- The primary purpose of directive principles is to maintain economic and social democracy.
- DPSPs are listed under Articles 36 to 51 in Part IV of the Constitution and are equal to the 'Instruments of Instructions' under the Government of India Act.
- A citizen cannot proceed towards any court of law in the case, and the Governments do not satisfy the DPSPs as these provisions are non-justiciable in courts.