

Salient Features of the Constitution (B) Directive Principles of State Policy

Directive Principles of State Policy

Directive principles are guidelines to be followed by the government in the governance of the country. They are included in Part IV of the Constitution under Articles 36–51. These principles include ideas, deep human thought, belief and knowledge. These are known as ‘directives’ because the government has to keep these in mind while formulating and implementing policies.

Sources of the Directive Principles

The sources of the Directive Principles are

- The Constitution of the Irish Republic which contains policies on socialist principles for guiding legislators
- The declaration of the rights of man and citizens of revolutionary France
- The ideals and principles of Mahatma Gandhi
- The Charter of Human Rights framed by the United Nations
- The Universal Declaration of Human Rights adopted by the United Nations

Classification of Directive Principles

The directive principles of state policy are related to Gandhian ideologies, economic and social policies, justice, law and administration.

Economic Principles

The duty of the state is to ensure the following economic principles:

- Article 39(a): To provide adequate means of livelihood and to secure equal rights for all citizens
- Article 39(b): To promote common good of all citizens through the distribution of material resources
- Article 39(c): To prevent concentration of wealth in a few hands
- Article 39(d): To secure equal pay for equal work both for men and women
- Article 39(e): To protect health and strength of workers, men and women
- Article 39(f): To provide for proper care for children and youth against their exploitation
- Article 41: To ensure right to work, education and public assistance in old age, sickness, disability and unemployment
- Article 42: To provide just and humane conditions of work for people
- Article 43: To secure a decent standard of living through suitable legislation for all workers
- Article 43 A: To ensure participation of workers in the management of industries

Gandhian or Socialist Principles

Article	Directive Principles
40	To establish Village Panchayats (this principle has become a law by the 73 rd Amendment Act, 1992)
43	To promote cottage industries in rural areas
45	To promote educational interests of the weaker section of society and to provide compulsory education to children till until they complete 14 years of age
46	To protect the interest of the weaker section, especially of Scheduled Castes and Scheduled Tribes from social injustice
47	To prohibit intoxicating drinks and to improve the standard of living of people
48	To organise agriculture and animal husbandry on modern scientific lines and to prohibit the slaughter of cows and calves

Directive Principles Related to the Protection of Monuments and Environment

- Article 48: To protect and improve our environment by safeguarding forests and wildlife
- Article 49: To protect monuments of national importance from destruction, disfigurement and disposal

Law, Justice and Administration

- Article 39A: To ensure that the law and legal system promote justice and no discrimination is made among people
- Article 44: Uniform civil code for all citizens
- Article 50: To take steps to separate the judiciary from the executive in public services of the state

Principles for Maintaining International Peace and Security

Article	Directive Principles
51	<ul style="list-style-type: none">▪ To promote international peace and security
	<ul style="list-style-type: none">▪ To maintain just and honourable relations between nations
	<ul style="list-style-type: none">▪ To respect international law and treaty obligations
	<ul style="list-style-type: none">▪ To settle international disputes through arbitration

Welfare State

A welfare state ensures maximum happiness to its people in the country. The Constitution of India seeks to establish the country as a welfare state. The directive principles of state policy aim at making India a welfare state because they aim at establishing social, economic and political equality in society.

Social Equality and Justice

The central and state governments have been taking steps to implement directive principles. Some of these are

- The Right to Education Act has been passed by the government, making it mandatory to provide free and compulsory education to children up to the age of 14 years. The Act also reserves 25% of total seats in educational institutions for children belonging to economically weaker sections of society.

- Special scholarships are given to students belonging to economically weaker sections of society.
- One of the major aims of the Five Year Plans is the upliftment of the poor section of society.
- Untouchability has been abolished and has been made an offence punishable by law.

Economic Welfare

- Zamindari system has been abolished by the government.
- Many banks and key industries have been nationalised to ensure that ownership of material resources are evenly distributed.
- Minimum Wages Act has been passed to ensure just payments to workers.
- Various rural development programmes such as Rural Integrated Development Programme (IRDP) and Landless Employment Guarantee Programme (RLEGP).
- The Mahatma Gandhi National Rural Employment Guarantee Act, 2005 aims to provide 100 days of guaranteed wage employment to rural households.

Political, Administrative and Legal Matters

- Panchayati Raj has been established to promote the ideal of local self-government.
- The government provides free legal aid to the people who cannot afford to engage lawyers for themselves.
- The judiciary is completely independent from the executive to avoid misuse of power.

Foreign Policy

- India has always opposed colonialism and racialism. She supported the cause of South Africa against the policy of apartheid.
- India respects international law and believes in settling disputes through peaceful arbitration.
- India believes in the policy of complete disarmament.

Importance of Directive Principles

- The directive principles provide a framework for establishing a welfare state.
- They act as guidelines to the government to make laws and draft bills in accordance with the objectives which are stressed in the Constitution.
- They educate and enlighten the people regarding what they should expect from the politicians of the country.
- They provide directions to the court in regard to safeguard the rights of citizens.
- The 42nd Amendment Act, 1976, provides that if a law has been formulated to give effect to any of the directive principles, it cannot be termed unconstitutional even if it takes away any of the rights mentioned under Articles 14, 19 and 31.

Limitations of Directive Principles

- The directive principles are not enforceable by law. It means that citizens cannot approach the courts if the state fails to implement these principles.
- There are inadequate resources to implement all directive principles.
- The directive principles are vague in nature as they are not clearly defined.
- There is no time limit for the implementation of directive principles.

Differences between Fundamental Rights and Directive Principles

Fundamental Rights	Directive Principles
They are enunciated in Part-III of the Constitution.	They are enunciated in Part-IV of the Constitution.
These are justiciable. The citizens can approach the court if their rights are taken away.	They are not enforceable. Citizens cannot approach the court if directive principles are taken away.
They are privileges which citizens enjoy.	They are meant for the government to create certain privileges for citizens.
They aim to establish political and social democracy.	They aim to establish a welfare state.