

# **DIRECTIVE PRINCIPLES OF STATE POLICY (DPSP)**

The Directive Principles of State Policy (DPSP) are guidelines for the central and state governments of India, intended to shape policies and laws to establish social and economic democracy. Enshrined in Part IV (Articles 36-51) of the Indian Constitution, these principles reflect the aspirations of the framers for a just, equitable, and prosperous society.

## **1. Purpose and Nature of DPSP**

- DPSP provide a roadmap for the State to create social and economic conditions that ensure the well-being of all citizens.
- Unlike Fundamental Rights, DPSP are **non-justiciable**; this means that they are not legally enforceable by courts. However, they are fundamental in the governance of the country.
- They serve as guidelines, shaping legislative and executive policies in India.

## **2. Sources and Inspiration**

- DPSP are largely inspired by the **Irish Constitution**, which also includes similar principles.
- They draw from **Gandhian ideals, socialist principles, and liberal thinking**, aiming to promote social justice and welfare.

## **3. Classification of Directive Principles**

DPSP can be broadly classified into three categories based on their goals:

- **Socialistic Principles**
- **Gandhian Principles**
- **Liberal-Intellectual Principles**

## Detailed Explanation of Each Category of DPSP

### 1. Socialistic Principles

- These principles reflect the aim of achieving social and economic justice, minimizing income inequalities, and providing fair opportunities to all citizens.
  - **Article 38:** Directs the state to secure a social order for the promotion of welfare of the people and to reduce inequalities in income, status, facilities, and opportunities.
  - **Article 39:** Specifies that the State should work toward securing:
    - Right to adequate means of livelihood.
    - Equal pay for equal work for both men and women.
    - Prevention of concentration of wealth and resources.
    - Protection of childhood and youth against exploitation.
  - **Article 41:** Directs the state to provide the right to work, education, and public assistance in cases of unemployment, old age, sickness, and disability.
  - **Article 42:** Requires the state to make provisions for just and humane conditions of work and maternity relief.
  - **Article 43:** Promotes living wages for workers and encourages cottage industries.

### 2. Gandhian Principles

- These principles are based on Mahatma Gandhi's ideals of promoting self-sufficiency, rural development, and social welfare.
  - **Article 40:** Directs the state to organize village panchayats and endow them with powers and authority to function as units of self-government.
  - **Article 43:** Promotes cottage industries in rural areas to create employment and strengthen the rural economy.
  - **Article 46:** Directs the state to promote the educational and economic interests of Scheduled Castes, Scheduled Tribes, and other weaker sections, protecting them from social injustice and exploitation.
  - **Article 47:** States that it is the duty of the state to raise the level of nutrition and standard of living of the people and to improve public health.
  - **Article 48:** Directs the state to organize agriculture and animal husbandry on modern and scientific lines and prohibits the slaughter of cows and other cattle.

### 3. Liberal-Intellectual Principles

- These principles aim to promote education, international peace, and a humane legal and social order.
  - **Article 44:** Encourages the state to work toward a Uniform Civil Code for all citizens, promoting unity and uniformity in personal laws.
  - **Article 45:** Directs the state to provide free and compulsory education for children up to the age of 14 (later incorporated into the Right to Education Act).
  - **Article 48A:** Requires the state to protect and improve the environment and safeguard forests and wildlife.
  - **Article 49:** Directs the state to protect monuments, places, and objects of national importance.
  - **Article 50:** Advocates for the separation of the judiciary from the executive in the public services of the state, ensuring impartial justice.
  - **Article 51:** Directs the state to promote international peace and security, maintain just relations with other nations, and encourage the settlement of international disputes by peaceful means.

### Importance and Role of DPSP

- **Welfare State:** DPSP aim to establish India as a welfare state by promoting economic and social democracy.
- **Guidelines for Governance:** They serve as a guide for the central and state governments to formulate laws and policies.
- **Moral Obligation:** Although non-justiciable, DPSP create a moral obligation for the government to fulfill the aspirations of the people.
- **Interpretative Role:** Courts often refer to DPSP when interpreting laws and Fundamental Rights to harmonize individual rights with broader social goals.
- **Inspiring Amendments and Laws:** Many laws and amendments, like the Right to Education Act (2009) and MGNREGA (2005), have been inspired by DPSP to fulfill their objectives.

### Relationship between Fundamental Rights and DPSP

- **Complementary Goals:** While Fundamental Rights protect individual freedoms, DPSP aim to create a society where these freedoms can be enjoyed in a fair and equal manner.
- **Justiciability:** Fundamental Rights are legally enforceable, while DPSP are not. However, DPSP guide the state in fulfilling social and economic rights, which indirectly strengthens Fundamental Rights.
- **Conflict Resolution:** In case of conflict, Fundamental Rights generally prevail, but the **Supreme Court** has used DPSP to interpret and expand the scope of Fundamental Rights in several cases.

### **Amendments and Judicial Interpretations of DPSP**

- **42nd Amendment Act (1976):** Strengthened the role of DPSP by emphasizing social justice and adding Articles 39A, 43A, and 48A.
- **Judicial Interpretations:** The Supreme Court has recognized DPSP as fundamental in governance, particularly in cases like **Keshavananda Bharati v. State of Kerala** and **Minerva Mills v. Union of India**, where it stressed the balance between Fundamental Rights and DPSP.