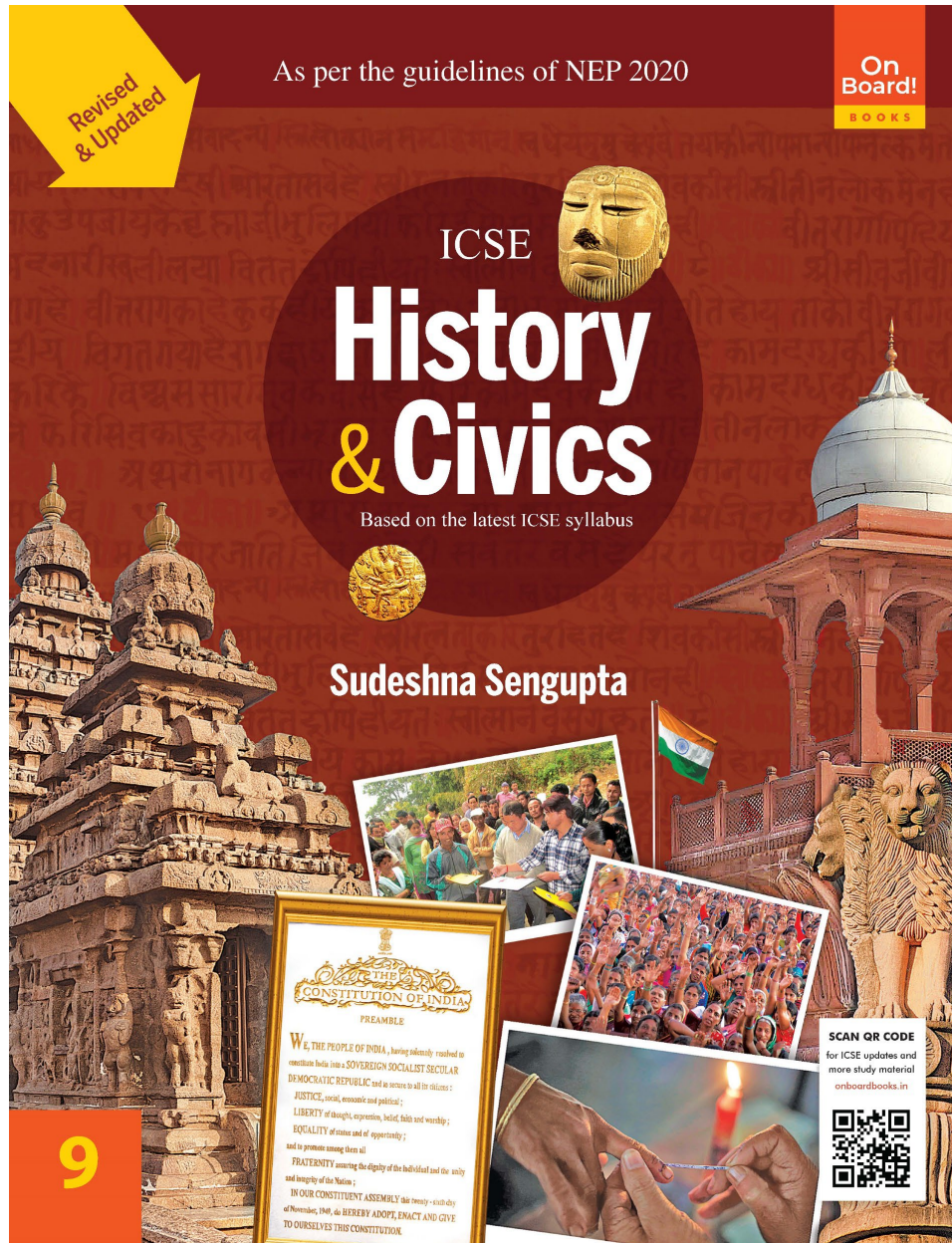


# On Board!

**B O O K S**

# History and Civics 9



# Civics 9

# Chapter 4: Directive Principles of State Policy

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# Chapter 4: Directive Principles of State Policy

## MEANING AND PURPOSE

The Directive Principles are instructions or guidelines that are to be followed by the governments for the welfare of the citizens. The governments have to keep these in mind while implementing laws. The purpose of the Directive Principles can be summed up by the Clause that states, 'The State shall in particular strive to minimize the inequalities in income and endeavour to eliminate inequalities in status, facilities and opportunities, not only among individuals but also among groups of people residing in different areas or engaged in different vocations.' The 42nd Amendment Act of 1976 incorporated the word 'Socialism' in the Preamble. The idea behind this was to create the possibility of equal opportunities to all through socio-economic reforms.

## NATURE OF THE DIRECTIVE PRINCIPLES

Owing to their very nature, the Directive Principles of State Policy are not enforceable by law. However, they have been declared to be 'fundamental in the governance of the country'. It is the duty of the States to apply these principles in making laws and in their day-to-day administration. The uniqueness of these directives lies in the fact that even without any legal sanction, they are yet adhered to due to political endorsement. No government can ignore them without risking the popular vote in the elections. The electorate at the time of the elections will question the integrity and motives of the government in office. It is also a powerful weapon in the hands of the opposition.

Another important sanction for the enforcement of the Directive Principles appears in Article 355 which states, 'It shall be the duty of the Union... to ensure that the government of every State is carried on in accordance with the provisions of this Constitution'.

As Part IV is an integral portion of the Constitution, the States have to abide by the principles mentioned therein. Further, Article 37 enjoins that, 'it shall be the duty of the State to apply these principles in making laws.' The Union has to see that the states take concrete steps for implementing these Directives. Any state government that refuses to comply would be risking its own position in the next elections.

## Criticism

The Directive Principles of State Policy are often criticized for the following reasons:

- As the Directive Principles do not have a legal backing they appear to be 'pious aspiration' and only a wonderful philosophy.
- Though these Directives have been declared as fundamental in the governance of the country, it ultimately depends on the rulers and their ideologies whether to work towards the establishment of a welfare state or not.
- At times the states have complained that the high ideals that the Directive Principles hope to achieve need adequate resources, which may not be available.
- As the Constitution states that it is the duty of the Union government to see that the states work in accordance with the rules laid down, it becomes the duty of the Union to see that the states implement the Directive Principles.

## Implementation of the Directive Principles

A look at some of the most noteworthy achievements in the past show a very positive approach taken by governments towards the Directive Principles.

- In the field of agriculture, the government has successfully introduced various land reforms.
- Laws have been enacted to organize village panchayats and endow them with powers of self-government in areas like civic administration, maintenance of village roads, streets, tanks, wells, provision for primary education, sanitation, etc.
- To promote cottage industries and self-reliance among the rural population, various boards have been formed.
- Legislation for free and compulsory primary education along with the provision for mid-day meal has been enacted in most states.
- To improve the standard of living, particularly in the rural sector, several community development programmes have been launched.
- Untouchability has been declared as an offence punishable under law.
- A few states have introduced prohibition of alcohol, smoking in public places, etc while the sale of drugs is prohibited all over the country.

- To check the misuse of political power and to ensure that the Constitution is upheld, the autonomy of the Judiciary has been maintained.
- In the international sphere India has always stood for disarmament, friendly relations between nations, and against racism and colonialism.
- India as a member of the Non-Aligned Movement, South Asian Association of Regional Countries, the Commonwealth and the United Nations Organization has been promoting peace, cooperation for development of all nations.

## CONCLUSION

The Directive Principles are not in conflict with but complementary to the Fundamental Rights. At times the Directive Principles have a wider import than the Fundamental Rights. Though the Directives are not enforceable, any law for their implementation cannot be declared as null and void on the basis of the Fundamental Rights guaranteed under Article 14 and 19. Thus, while the establishment of a welfare state, which is the objective of the Directive Principles, cannot be overlooked for individual rights, the State cannot override a Fundamental Right to establish a general norm. The Directive Principles and Fundamental Rights are thus the two wheels of the chariot that move towards establishment of a sound economic and social democracy.



## DIFFERENCES BETWEEN DIRECTIVE PRINCIPLES AND FUNDAMENTAL RIGHTS

### Directive Principles

- ◆ Contained in Part IV of the Constitution
- ◆ Not enforceable by courts of law and do not create any justiciable rights for the individuals
- ◆ In the form of instructions to the government to do certain things and to achieve certain ends
- ◆ Indicate the social and economic goals that the country needs to achieve
- ◆ Aim at the establishment of a welfare state
- ◆ Duty of the states to enforce these principles and cannot be claimed as natural privileges

### Fundamental Rights

- ◆ Contained in Part III of the Constitution
- ◆ Enforced by the courts if they have been denied and one can move the court for restoring them
- ◆ Binding on the government to ensure these rights to every individual
- ◆ Guarantee civil liberties and protect the life and liberty of individuals
- ◆ Essential features of a democratic republic
- ◆ Guaranteed by the Constitution and are 'natural' privileges

## To Remember

**Meaning and purpose**—They are in the form of guidelines for the states, Aim: Establishment of a welfare society.

**Nature of the Directive Principles**—Not enforceable yet fundamental, all-round progress of the people ensured, no legal sanction yet to be followed as electors judge the government on their implementation, Part IV an integral part and all states have to abide by it.

**Classification of the Directive Principles**—In the nature of ideals of the State, shaping the policy of the State, non-justiciable rights of the citizens.

**Criticism**—No legal backing so only a wonderful philosophy, depends on the rulers as to be effective, inadequate resources for proper implementation, Union can overlook implementation of the principles.

**Implementation of the Directive Principles**—Various land reforms, village panchayats given powers of self-governance, promotion of cottage industries encouraged, free and compulsory primary education in state-run schools, rural development programmes—IRDP, NREP, RLEGP, etc. economically backward classes looked after, untouchability abolished, prohibition on sale of liquor and smoking in certain states, judiciary independent of the other two wings of the government, India a part of the Non-Aligned Movement, against racism and for disarmament.

**Differences between Directive Principles and Fundamental Rights**—Rights are justiciable, Principles are not; Rights are restrictions on the government, Principles are instructions to the government; Rights are for civil liberties, Principles are social and economic goals; Rights stand for democratic republic, Principles for a welfare society; Rights are for all citizens of this country, Principles are for all states to follow.

**Conclusion**—Directive Principles and Fundamental Rights are complementary like the two wheels of a chariot moving towards economic and social democracy.

**Thank You**