

## Chapter – 9

### The Directive Principles of State Policy – Its importance and implementation

#### 9.1 Meaning of Directive Principles of State Policy

- Part IV, Articles 36-51 of the Indian Constitution constitutes the Directive Principles of State Policy.
- It contains the broad directives or guidelines to be followed by the State while establishing policies and laws.
- The legislative and executive powers of the State are to be exercised under the purview of the Directive Principles of the Indian Constitution.
- The Indian Constitution was written immediately after India obtained freedom, and the contributors to the Constitution were well aware of the ruined state of the Indian economy as well as the fragile state of the nation's unity.
- Hence, they created a set of guidelines under the heading Directive Principles for the inclusive development of society.
- Inspired by the Constitution of Ireland, the Directive Principles contain the very basic philosophy of the Constitution of India, and that is the overall development of the nation through guidelines
- Related to social justice, economic welfare, foreign policy, and legal and administrative matters.
- However, the Directive Principles cannot be enforced in a court of law and the State cannot be sued for non-compliance of the same.
- The Directive Principles are divided into the following three categories:
  - Socialistic Directives

This part contains the directives for securing the welfare of the people of India, equal distribution of the material resources of the country protection of the fundamental rights of the children and youth, equal pay for equal work, education, etc.

- Gandhian Directives

These directives are the guidelines for organizing village Panchayat, the prohibition of intoxicating drinks and cow-slaughter, a secure living wage, decent standard of life, and to promote cottage industries, to provide free and compulsory education to all children up to 14 years of age, etc.

- Liberal Intellectual Directives

In this section, there are guidelines for uniform civil code throughout the country and the legislatures to follow in issuing orders or making laws.

#### 9.2 Features of Directive Principles of State Policy

- In a nutshell, the Directive Principles consist of the following guidelines for the States :
- The State should strive to promote the welfare of the people.
- Maintain social order through social, economic and political justice. -The State should strive towards removing economic inequality.

- Removal of inequality in status and opportunities.
- Equal work opportunity for both men and women.
- Prevent the concentration of wealth in specific pockets through uniform distribution of the material resources amongst all the strata of the society .
- Prevention of child abuse and exploitation of workers .
- Protection of children against moral and material abandonment.
- Free legal advice for equal opportunities to avail of justice by the economically weaker section.
- Organization of Village Panchayats which will work as an autonomous body working towards giving justice .
- Assistance to the needy including the unemployed, sick, disabled and old people.
- Ensure proper working conditions and a living wage.
- Promotion of cottage industries in rural areas.
- The State should endeavour towards a uniform civil code for all the citizens of India.
- Free and compulsory education for children below the age of 14 years.
- Economic and educational upliftment of the Scheduled Cast and Scheduled Tribe and other weaker sections of the society.
- Prohibition of alcoholic drinks, recreational drugs, and cow slaughter.
- Preservation of the environment by safeguarding the forests and wild life.
- Protection of monuments, places, and objects of historic and artistic interest and national importance against destruction and damage.
- Promotion and maintenance of international peace and security. Just and honourable relations between nations, respect for international law and treaty obligations, as well as a settlement of international disputes by arbitration.

### 9.3 Implementation of the Directive Principles of State Policy

- As mentioned earlier, unlike the Fundamental Rights which are guaranteed by the constitution of India, the Directive principles do not have a legal sanction and cannot be enforced in a court of law.
- However, the State is making every effort to implement the Directive Principles in as many sectors as possible.
- The noteworthy implementation is the 66th constitutional Amendment of 2002 which inserted a new article, Article 21-A, making free education for children below the age of 14 compulsory.
- For example, the Taxation Inquiry Commission, 1953-1954 was asked to examine the tax structure and to suggest measures to reduce the inequalities of income and wealth and some other related subjects.
- The Industrial Development and Regulation Act, 1954 and the establishment of the Monopolies Inquiry Commission in 1965 were aimed to achieve the objective outlined by the Taxation Inquiry Commission.
- The Monopolies Commission made probing inquiries into the causes and extent of concentration of economic power in private hands, the factors responsible for monopolies tendencies in the national economy and their social consequences.
- Similarly, in the early years of the 1950s Land Reform Legislation was enacted to abolish intermediaries and zamindari system and now land, both rural and urban, are subject to ceilings and the surplus land has gone to the weaker sections of the community.

- In compliance with such laws, many States has enacted separate State Act to prevent the concentration of landholdings and fixed a ceiling for an individual owner.
- A large number of laws have been enacted to implement the organization of village panchayat as a unit of self-government.
- For raising the standard of living (Article 47) the Government of India adopted the first-ever large-scale program called Community Development Project in 1952 for rural reconstruction in the field of communication, transport, housing facilities, sanitation, agriculture, education, etc.
- Regarding the prohibition of intoxicating drinks and drugs (Article 47), most of the States have enacted legislation and imposes some restrictions on it.
- Necessary legislation has been enacted to protect places and monuments of national importance.
- As to the separation of the executive from the judiciary (Article 50), most of the States have taken legislative measures. Steps have been taken to assist and give free legal aid to needy village people.
- Lastly, the Government of India has enacted the National Rural Employment Guarantee Act (NREGA) to ensure hundred days of work assistance to rural people which is in conformity to the Right to work enshrined in the Directive Principles of State Policy of the Indian Constitution.

#### 9.4 References

M Laxminath "Indian Polity" 4th Edition 2013 Tata McGraw Hill Publication. Durga Das Basu "Introduction to Constitution of India"

Tejpal Sheth "Indian Constitution" 1st Edition 2018 Mahajan Publication

