

Directive Principles of State Policy

The Directive Principles are contained in Part IV of the Constitution. They aim at providing the social and economic base of a genuine democracy.

Important Directive Principles

Broadly speaking, there are three types of Directive Principles aimed at providing social and economic justice and ushering in a welfare state.

1. Socio-Economic Principles : They require the State : (a) to provide adequate means of livelihood to all citizens; (b) to prevent concentration of wealth and means of production and ensure equitable distribution of wealth and material resources; (c) to secure equal pay for equal work of men as well as women; (d) to ensure a decent standard of living and leisure for all workers; (e) to provide necessary opportunities and facilities to children and youth to prevent their exploitation; and (f) to make efforts to secure the right to work, education and public assistance in case of unemployment, sickness, old age etc.

2. Gandhian Principles : These are the embodiment of the Gandhian programme for reconstruction. These include :
(a) the establishment of village panchayats to function as units of self government; (b) the promotion of educational and economic interests of weaker sections of society; (c) the promotion of cottage industries; (d) the prohibition of intoxicating drugs and drinks; and (e) prevention of the slaughter of cows, calves and other milch cattle etc.

3. Liberal Principles : These principles are based on liberal thinking and emphasise the need for;
(a) a uniform civil code for the country; (b) free and compulsory education for all children up to the age of 14 years; (c) separation of the judiciary and executive; (d) organisation of agriculture and animal husbandry along scientific lines; (e) securing the participation of workers in the management of industries; (f) safeguarding the forests and wildlife of the country; and (g) protecting monuments and places of artistic or historical importance.

The real significance of the directive principles lies in the fact that they intend to provide social and economic democracy in the country without which political democracy is a farce.

Difference Between Fundamental Rights and Directive Principles

1. Fundamental rights constitute limitations upon State action, while the Directive Principles are instruments of instruction to the Government.

2. The directives require to be implemented by legislation while fundamental rights are already provided in the Constitution.
3. The Directives are not enforceable in the Courts and do not create any Justiciable rights in favour of the individuals, while the Fundamental Rights are enforceable by the Courts {Ref. : Arts. 32, 37, 226(1)}
4. In case of any conflict between fundamental rights and directive principles the former should prevail in the Courts.
5. 42nd Amendment Act ensured that though the directives themselves are not directly enforceable it would be totally immune from unconstitutionality on the ground of contravention of the fundamental rights conferred by Arts. 14 and 19.
6. This attempt to confer a primacy upon the directives against the fundamental rights was foiled by the decision of the Supreme Court in *Minerva Mills Case* to the effect that a law would be protected by Art. 31C only has been made to implement the directive in Art. 39(b)-(c) and not any of the other Directives included in Part IV.

Directives Provided outside Part IV of the Constitution

1. State and every local authority within the state provide adequate facilities for instruction in the mother-tongue at the primary stage of education to children belonging to linguistic minority groups {Ref. : Art. 350 A}
2. Union to promote spread of Hindi language and to develop it as a medium of expression of all the elements of the composite culture of India. {Ref. : Art. 351.}
3. The claims of the members of the Scheduled Castes and the Scheduled Tribes shall be taken into consideration consistently with the maintenance of efficiency of administration, in making appointments to services and posts in connection with the affairs of the union or a state. {Ref.: Art. 335}
4. Though the Directives contained in Arts. 335, 350A and 351 are not included in Part IV Courts have given similar attention to them meaning that all parts of the Constitution should be read together.