

DIRECTIVE PRINCIPLES OF STATE POLICY

- IRISH CONSTITUTION, 1937 (ARTICLE 45)
- DIRECTIVE PRINCIPLES OF SOCIAL POLICY
- DIRECTIVE PRINCIPLES OF STATE POLICY
- SAPRU COMMITTEE (1945)
- SOCIO-ECONOMIC MAGNA CARTA
- NON- ENFORCEABLE- ARTICLE 37
- ARTICLE 37-The provisions contained in this Part shall not be enforceable by any court, but the principles therein laid down are nevertheless fundamental in the governance of the country and it shall be the duty of the State to apply these principles in making laws.

Articles Related to DPSP

29: Definition of State	288A: Protection of co-operative societies
29: Application of the principles contained in this part	288: Welfare and aids for the disabled
30: States to secure a social order for the promotion of welfare of the people	288A: Provision for early childhood care and education to children below the age of six years
31: Certain principles of policy to be followed by the State	288B: Provision of educational and technical assistance to backward classes, backward tribes and other weaker sections
32: Equal justice and free legal aid	297: Duty of the State to raise the level of nutrition and the standard of living and to improve public health
33: Organisation of village panchayats	298: Organisation of agriculture and animal husbandry
34: Right to work, to education and to public assistance in certain cases	298A: Protection and improvement of environment and safeguarding of forests and wildlife
35: Provision for just and humane conditions of work and maternity relief	299: Protection of monuments and places and objects of national importance
36: Living wage, etc., for workers	300: Separation of judiciary from executive
36A: Participation of workers in management of enterprises	31: Protection of international peace and security

BR AMBEDKAR ON DPSP

In enacting this Part of the Constitution, the Assembly is giving certain directions to the future legislature and the future executive to show in what manner they are to exercise the legislature and the executive power they will have. Surely it is not the intention to introduce in this Part these principles as mere pious declarations. It is the intention of the Assembly that in future both the legislature and the executive should not merely pay lip-service to these principles but that they should be made the basis of all legislative and executive action that they may be taking hereafter in the matter of the governance of the country."

(C.A. D. Vol.VII p.476.)

Sir B.N.Rau- Constitutional Advisor to the Drafting Committee

- The principles set forth in this Part are intended for the general guidance of the appropriate Legislatures and Government in India (hereinafter referred to collectively as 'the State'). The application of these principles in legislation and administration shall be the care of the State and shall not be cognizable by any Court.
- B.N. Rau; is like an Instrument of Instructions from the ultimate sovereign, namely, the people of India
- B.N. Rau, "there are certain rights which require positive action by the state and which can be guaranteed only as far as such action is practicable, while others merely require that the state shall abstain from prejudicial action

- State of Madras vs. Champakam Dorairajan and Ors. (09.04.1951 - SC)
 - AIR 1951 SC 226

Justice S.R.Das PRIMACY OF FRs over DPSP

- The directive principles of State Policy laid down in Part IV of the Constitution cannot in any way override or abridge the fundamental rights guaranteed by Part III- On the other hand they have to conform to and run as subsidiary to the fundamental rights laid down in Part III.

IC GOLAK NATH V STATE OF PUNJAB

- The fundamental rights are given a transcendental position under our Constitution and are kept beyond the reach of Parliament. At the same time Parts III and IV of the Constitution constituted an integrated scheme forming a self contained code. The scheme is made so elastic that all the Directive Principles of State Policy can reasonably be enforced without taking away or-abridging the fundamental rights.

STATE OF KERALA V NM THOMAS (1976) 2 SCC 310

- The Directive Principles contained in Part IV constitute the stairs to climb the High edifice of a socialistic State and the Fundamental Rights are the means through which one can reach the top of the edifice.
- "There is complete unanimity of judicial opinion of this Court that the Directive Principles and the Fundamental Rights should be construed in harmony with each other and every attempt should be made by the Court to resolve apparent inconsistency."

MISS. MOHINI JAIN VS. STATE OF KARNATAKA AND ORS. MANU/SC/0357/1992

- The directive principles which are fundamental in the governance of the country cannot be isolated from the fundamental rights guaranteed under Part III. These principles have to be read into the fundamental rights. Both are supplementary to each other.
 - UNNI KRISHNAN JP V STATE OF AP AIR 1993 SC 2178
- provisions of Part IV and III are supplementary and complementary to one another in the light of Directive Principles",

KESAVANANDA BHARATI SRIPADAGALVARU VS. STATE OF KERALA

MANU/SC/0445/1973

- Our Constitution makers did not contemplate any disharmony between the fundamental rights and the directive principles. They were meant to supplement one another. It can well be said that the directive principles prescribed the goal to be attained and the fundamental rights laid down the means by which that goal was to be achieved.

MINERVA MILLS LTD. AND ORS. VS. UNION OF INDIA (UOI MANU/SC/0075/1980

- GRANVILLE AUSTIN- Parts III and IV are like two wheels of a chariot, one no less important than the other. You snap one and the other will lose its efficacy.
- Indian Constitution is founded on the bedrock of the balance between Parts III and IV. To give absolute primacy to one over the other is to disturb the harmony of the Constitution. This harmony and balance between fundamental rights and directive principles is an essential feature of the basic structure of the Constitution.

STATE OF GUJARAT VS. MIRZAPUR MOTI KURESHI KASSAB JAMAT AND ORS. MANU/SC/2681/2005

- Justice A.K Mathur
- wherever any enactment is made for advancement of Directive Principles and it runs counter to the Fundamental Rights an attempt should be made to harmonize the same if it promotes larger public interest.