



Mains Practice Question

Q. Analyze the role of the Directive Principles of State Policy enshrined in the Constitution in shaping India's socio-economic policies, and examine their relationship with fundamental rights. **(250 words)**

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Approach

- Introduce the answer by highlighting the Constitutional provisions related to DPSP
- Give Role in DPSPs in Shaping India's Socio-Economic Policies
- Highlight the Relationship with Fundamental Rights
- Conclude suitably.

Introduction

The **Directive Principles of State Policy (DPSP)**, enshrined in **Part IV of the Indian Constitution (Articles 36-51)**, serve as guidelines for the government in formulating and implementing socio-economic policies.

- While **not legally enforceable**, these principles play a crucial role in shaping the country's governance and development trajectory.

Body

Role in DPSPs in Shaping India's Socio-Economic Policies:

- **Economic Justice and Equality: Article 38** directs the state to promote the welfare of the people by securing social, economic, and political justice.
 - **Article 39** emphasizes equitable distribution of resources and prevention of concentration of wealth.
 - **Impact:** These principles have influenced policies like **land reforms, nationalization of banks, and various poverty alleviation programs.**
- **Labor Welfare: Article 41** directs the state to secure the **right to work, education, and public assistance.**
 - **Article 43** emphasizes the provision of living wages and decent working conditions.
 - **Impact:** These have led to the enactment of **four labor codes.**
- **Education and Cultural Preservation:** Article 45 (as originally enacted) provided for free and compulsory education for children.
 - **Article 48** directs the state to protect monuments of historic importance.
 - **Impact:** These principles led to the **Right to Education Act, 2009**, and various cultural preservation initiatives by the **Archaeological Survey of India.**
- **Environmental Protection: Article 48A (added by the 42nd Amendment)** directs the state to protect the environment and wildlife.
 - **Impact:** This has influenced environmental legislation and policies, such as the **Wildlife Protection Act, 1972**, and the **Environment Protection Act, 1986.**
- **International Relations:** Article 51 promotes international peace and security.

- **Impact:** This has shaped India's foreign policy, including its **non-alignment stance during the Cold War**.

Relationship with Fundamental Rights:

The relationship between DPSPs and Fundamental Rights has evolved over time, as reflected in various Supreme Court judgments:

- **Initial Conflict:** In the early years post-independence, there was a perceived conflict between DPSPs and Fundamental Rights.
 - In ***State of Madras v. Champakam Dorairajan (1951)***, the Supreme Court held that in case of conflict, Fundamental Rights would prevail over DPSPs.
- **Recognition of Harmonious Construction:** In ***Re: Kerala Education Bill (1957)***, the Supreme Court advocated for a harmonious construction between DPSPs and Fundamental Rights, stating that DPSPs should not be ignored when determining the scope of Fundamental Rights, signaling a shift towards their complementarity.
- **Basic Structure Doctrine:** In ***Kesavananda Bharati v. State of Kerala (1973)***, the judgment emphasized that **DPSPs and Fundamental Rights supplement each other** and should be interpreted harmoniously.
- **Balancing Socio-economic Goals:** In ***Pathumma v. State of Kerala (1978)***, the Supreme Court upheld a law based on DPSPs, stressing that **achieving socio-economic justice requires a combination of both DPSPs and Fundamental Rights**, ensuring the Constitution's broader goals are met.
- **Supremacy of Fundamental Rights Reaffirmed:** In ***Minerva Mills v. Union of India (1980)***, the Supreme Court ruled that while DPSPs are crucial, they cannot override Fundamental Rights.
- **Evolving Jurisprudence on Socio-economic Rights:** In ***Olga Tellis v. Bombay Municipal Corporation (1985)***, the Supreme Court extended the right to life under Article 21 to include the right to livelihood, **integrating socio-economic principles from DPSPs into the enforceable realm of Fundamental Rights**.
- **Constitutional Conscience:** In ***Dalmia Cement v. Union of India (1996)***, the Supreme Court reaffirmed that DPSPs and Fundamental Rights are complementary, emphasizing **that they together form the conscience of the Constitution**, driving India's social revolution forward.

Conclusion

The Directive Principles of State Policy have played a pivotal role in shaping India's socio-economic policies, providing a roadmap for inclusive development. Today, DPSPs serve not only as guiding principles for policy-making but **also as essential tools for interpreting and expanding the scope of Fundamental Rights**, thereby contributing to the realization of the constitutional vision of a just and equitable society.