

# ***Directive Principles of State Policy***

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*Directive Principles of State Policy (DPSP)* in the Indian Constitution are a set of guidelines and principles given to the government to help guide its policies and decisions in order to establish a just and equitable society. These principles, while not legally enforceable by the courts, hold immense significance in shaping the policies and actions of the government. DPSPs are enshrined in Part IV (Article 36 to Article 51) of the Indian Constitution, and they complement the Fundamental Rights.

Directive Principles of State Policy and explain them with specific articles:

### *Article 36 - Definitions:*

- Article 36 provides definitions for certain key terms used in the context of Directive Principles of State Policy. These definitions are crucial for a clear understanding of DPSP and how they are to be interpreted and applied by the State.
- The significance of Article 36 lies in its role in providing clarity and precision to the interpretation of DPSP. It ensures that terms like "the State" and "laws in force" are clearly understood in the context of DPSP.

### **1. Article 37 - Application of the Principles Contained in this Part:**

2. Article 37 addresses the enforceability of DPSP. It explicitly states that the provisions contained in Part IV (which includes DPSP) are not enforceable by any court. In other words, courts cannot issue orders or judgments to compel the government to implement these principles.
3. The significance of Article 37 lies in its recognition of the non-justiciability of DPSP. Unlike Fundamental Rights, which are legally enforceable, DPSP

are essentially guidelines or recommendations for the government. They represent the socio-economic and political ideals that the State should strive to achieve, but they do not create legal obligations. This provision ensures that the government has the flexibility to make policy decisions without being subject to legal challenges based solely on DPSP.

4. **Promotion of Welfare of the People (Article 38):** This article emphasizes that the State shall strive to promote the welfare of the people by securing a social order in which justice, social, economic, and political, shall inform all institutions of national life. It directs the government to work towards reducing social and economic inequalities.
5. **Equal Pay for Equal Work (Article 39):** Article 39 mandates that the State shall ensure that citizens, men and women equally, have the right to an adequate means of livelihood. It also directs the State to ensure that there is no discrimination in wages between men and women for the same work.
6. **Prohibition of Child Labor and Protection of Children (Article 39(e) and (f)):** These articles instruct the State to direct its policy towards securing the health and strength of workers, men, and women, and to ensure that children are not forced by economic necessity to enter occupations unsuited to their age or strength.
7. **Promotion of Educational and Economic Interests of Scheduled Castes, Scheduled Tribes, and Other Weaker Sections (Article 46):** Article 46 directs the State to promote with special care the educational and economic interests of the Scheduled Castes, Scheduled Tribes, and other weaker

sections of the society and protect them from social injustice and all forms of exploitation.

8. **Protection of Environment and Wildlife (Article 48-A):** This article was added by the 42nd Amendment Act, 1976. It states that the State shall endeavor to protect and improve the environment and to safeguard the forests and wildlife of the country.
9. **Promotion of Cottage Industries (Article 43):** Article 43 directs the State to take steps to promote cottage industries on an individual or cooperative basis in rural areas, particularly for the benefit of scheduled castes, scheduled tribes, and other weaker sections.
10. **Uniform Civil Code (Article 44):** Article 44 recommends the enactment of a Uniform Civil Code for the citizens throughout the territory of India. However, this directive has not been implemented yet.
11. **Promotion of International Peace and Security (Article 51):** Article 51 enjoins upon the State to promote international peace and security, maintain just and honorable relations between nations, foster respect for international law, and encourage settlement of international disputes by arbitration.

### ***Article 39 - Certain Principles of Policy to be Followed by the State:***

Article 39, mentioned in your query, is a broader provision that includes various principles, such as securing justice, ensuring equal pay for equal work, and preventing child labor. Its significance lies in its comprehensive approach to social

and economic justice. For example, it calls for the elimination of inequality and exploitation and the promotion of the welfare of the people.

### *Article 40 - Organization of Village Panchayats:*

Article 40 of the Indian Constitution emphasizes the organization of Village Panchayats as a means to ensure local self-governance in rural areas. It states that the State shall take steps to organize Village Panchayats and endow them with powers and authority to enable them to function as self-government institutions.

Explanation:

- Article 40 highlights the importance of decentralized governance at the grassroots level. Village Panchayats represent a form of local self-government where decisions can be made to address the specific needs and issues of rural communities.
- This provision aims to promote democracy at the local level, empower rural populations to participate in their own governance, and facilitate the planning and implementation of development programs tailored to local requirements.
- It signifies the commitment of the Indian Constitution to promote a democratic and participatory system of governance not only at the national and state levels but also at the grassroots.

### *Article 41 - Right to Work, Education, and Public Assistance in Certain Cases:*

Article 41 of the Indian Constitution recognizes the right to work, education, and public assistance in certain situations. It directs the State to ensure that citizens have the right to work, a decent livelihood, free and compulsory education for children, and public assistance in cases of unemployment, old age, sickness, and disability.

Explanation:

- Article 41 underscores the principle of social and economic justice. It emphasizes the State's responsibility in ensuring that its citizens have access to basic necessities and opportunities.
- This provision acknowledges that economic hardships and social vulnerabilities can hinder an individual's ability to lead a dignified life. Therefore, it calls for state intervention to provide social security and access to education and employment.
- Article 41 reflects the commitment of the Indian Constitution to uplift the weaker sections of society and ensure that no citizen is deprived of basic necessities due to circumstances beyond their control.

### *Article 42 - Provision for Just and Humane Conditions of Work and Maternity Relief:*

Article 42 of the Indian Constitution emphasizes the need for just and humane conditions of work and maternity relief for women workers. It directs the State to make provisions for securing these conditions.

Explanation:

- Article 42 recognizes the importance of labor rights and the well-being of workers, especially women. It seeks to protect the rights and health of female workers, particularly during pregnancy and motherhood.
- This provision is in line with the broader goal of achieving social and economic justice. It acknowledges that labor exploitation and adverse working conditions can hinder an individual's ability to lead a dignified life.
- By addressing the needs of women workers and ensuring maternity relief, Article 42 contributes to gender equality and social justice in the workplace.

### *Article 43 - Promotion of Cooperative Societies:*

Article 43 (क) directs the State to promote voluntary formation, autonomous functioning, democratic control, and professional management of cooperative societies. This principle underscores the significance of cooperative movements in economic development and social progress.

### *Article 43 - Promotion of Agro-Based Industries:*

- Article 43 (ख) emphasizes the promotion of agro-based industries to ensure rural industrialization. It recognizes the importance of rural development and the role of small-scale industries in providing employment and enhancing economic conditions in rural areas.
- These Directive Principles of State Policy collectively reflect the ideals and goals of the Indian Constitution, guiding the government's efforts to create a just, equitable, and welfare-oriented society. While they are not legally



enforceable, they provide a moral and ethical framework for governance in India.

### *Article 45 - Provision for Early Childhood Care and Education:*

- Article 45 of the Indian Constitution directs the State to provide early childhood care and education for all children until they complete the age of six years. This provision emphasizes the significance of early education in a child's development and aims to ensure that every child in the country has access to a basic level of education and care.
- The importance of Article 45 lies in its recognition of the critical role that early childhood education plays in shaping a child's future. By focusing on this, the State seeks to lay a strong foundation for lifelong learning and holistic development, contributing to a more educated and skilled workforce in the future.

### *Article 46 - Promotion of Educational and Economic Interests of Scheduled Castes, Scheduled Tribes, and Other Weaker Sections:*

- Article 46 underscores the commitment of the State to promote the educational and economic interests of the Scheduled Castes, Scheduled Tribes, and other weaker sections of society. This provision recognizes historical disadvantages and discrimination faced by these marginalized communities and aims to uplift them by providing opportunities for education and economic growth.
- The significance of Article 46 lies in its role in addressing social inequality and promoting social justice. It emphasizes the need for affirmative action

to bridge the gap between different sections of society and ensure that every citizen has an equal chance to progress and prosper.

*Article 47 - Duty of the State to Raise the Level of Nutrition and the Standard of Living and to Improve Public Health:*

- Article 47 places a duty on the State to raise the level of nutrition and the standard of living of its people and to improve public health. This directive highlights the importance of a healthy population for the overall development of the nation.
- The significance of Article 47 lies in its focus on public welfare and the well-being of citizens. It calls upon the government to take measures to combat malnutrition, improve living conditions, and provide access to healthcare services. A healthy and well-nourished population is essential for economic productivity and human development.

*Article 48 - Organization of Agriculture and Animal Husbandry:*

- Article 48 directs the State to organize agriculture and animal husbandry on modern and scientific lines and to take steps for the preservation and improvement of breeds of livestock. This provision emphasizes the importance of modernizing and rationalizing agricultural practices.
- The significance of Article 48 lies in its recognition of agriculture as a crucial sector of the economy. It encourages the adoption of advanced agricultural techniques, which can lead to increased agricultural productivity and the well-being of rural communities.

## *Article 49 - Protection of Monuments and Places and Objects of National Importance:*

- Article 49 emphasizes the State's duty to protect and preserve historical monuments, places, and objects of national importance. This directive recognizes the cultural heritage of the nation and aims to safeguard it for future generations.
- The significance of Article 49 lies in its role in preserving India's rich cultural and historical heritage. It underscores the need to protect and maintain landmarks, artifacts, and historical sites that hold historical, architectural, or artistic significance.

## *Article 50 - Separation of Judiciary from the Executive:*

- Article 50 stresses the importance of separating the judiciary from the executive in the government's functioning. This principle is essential for upholding the rule of law and ensuring the independence of the judiciary.
- The significance of Article 50 lies in its role in maintaining the integrity and impartiality of the judiciary. It prevents undue influence or interference by the executive branch in judicial matters, promoting a fair and just legal system.

These Directive Principles, although not legally enforceable, serve as a moral and political obligation for the government. Over the years, several laws and policies have been enacted to align with these principles, making them a crucial aspect of governance in India. While Fundamental Rights are justiciable, the Directive Principles provide a roadmap for a more just, equitable, and compassionate

society. In essence, they reflect the ideals and aspirations of the Indian Constitution and guide the state in its quest to create a better future for its citizens.

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