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DEPARTMENT OF ELECTRONICS AND COMMUNICATION ENGINEERING



Sub: Indian Constitution Subcode: 23MCT002 Unit-I Directive Principle of state policy

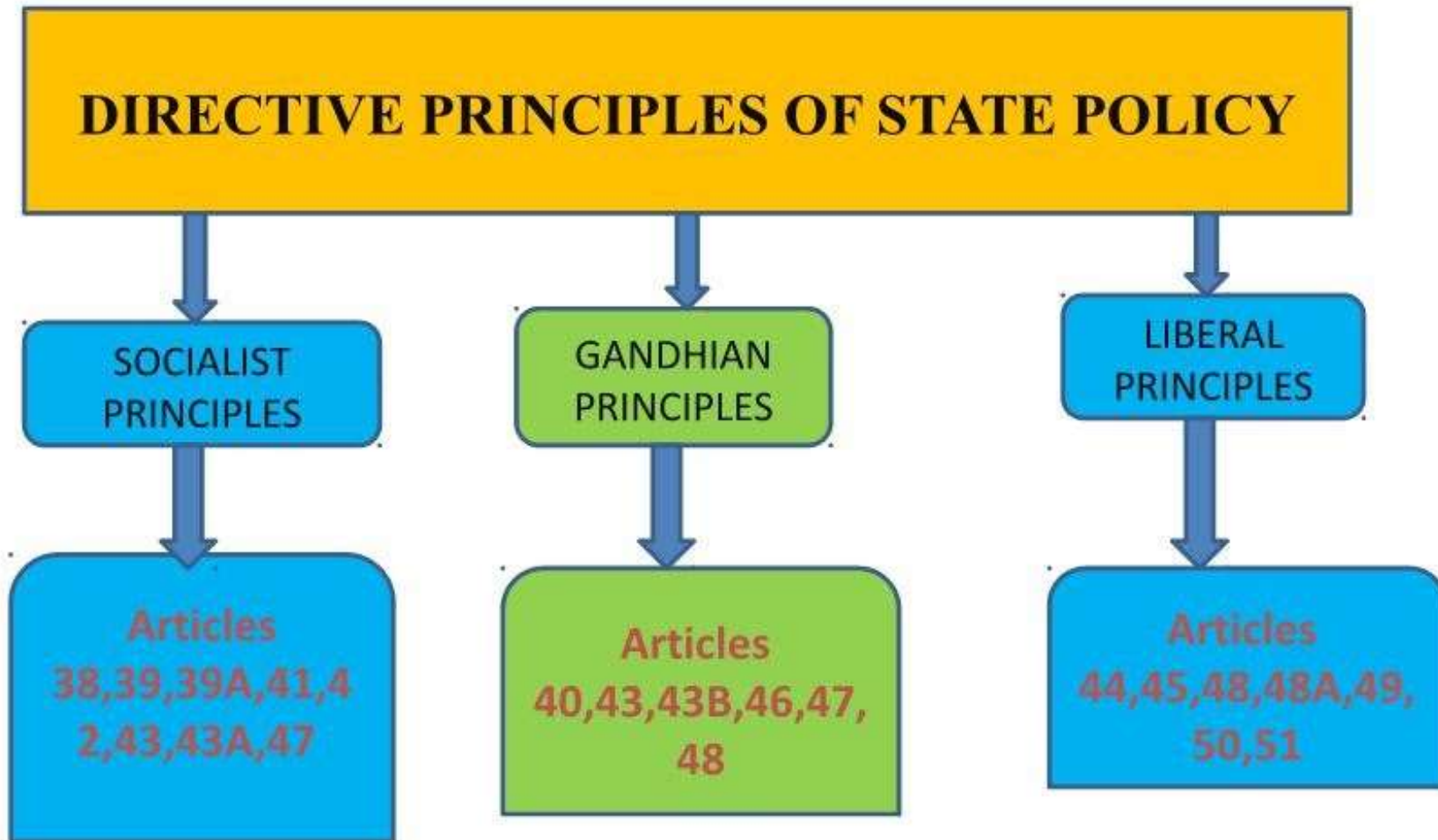
INTRODUCTION

- ▶ The Directive Principles of State Policy, embodied in Part IV of the constitution.
- ▶ The government should keep them in mind while framing laws, even though they are non-justiciable in nature.
- ▶ Directive Principles are classified under the following categories: Gandhian, social, economic, political, administrative, legal, environmental, protection of monuments, peace and security.

INTRODUCTION

- Article 36 to 51 of the Constitution of India embodies the Directive Principles of State policy and for these, we are indebted to the **Constitution of Ireland**. The objective is to establish a social and economic democracy in India
- Article 37 reveals that :
 1. The Directive Principles are not justiciable
 2. They are Fundamental in the governance of the country
 3. It shall be the duty of the State to apply these Directive Principles while formulating policies or making laws for the governance of the State

CLASSIFICATION OF DIRECTIVE PRINCIPLES OF STATE POLICY



SOCIALIST PRINCIPLES

- ▶ Article 38 of the Constitution of India shall endeavor to formulate such a social system that will **secure social, economic, and political justice for all in all spheres of life.**
- ▶ Article 39(a) the state shall try to formulate its policy in such a manner as to **secure adequate means of livelihood for all its citizens.**
- ▶ Article 39(b) the ownership of material resources would be controlled in such a manner to serve the common good.

SOCIALIST PRINCIPLES

- ▶ Article 39(c) the economy of the state will be administered in such a manner so that wealth may not yet be concentrated in a few hands and the means of production may not be used against the public interest.
- ▶ Article 41 of the Indian Constitution of the State will work within the limits of its economic viability and progress, **provide to the citizens the right to work, the right to education and general assistance in the event of unemployment, old age, disease and other disabilities.**

SOCIALIST PRINCIPLES

- ▶ Article 42 of the Indian Constitution the state will make provisions for the **creation of just and humane conditions of work**. It will also ensure **maternity relief**.
- ▶ Article 43 of the Indian Constitution the state will ensure adequate wages, good life and rest to the labourers. The state will also endeavour to make available to the labourers various socio-cultural facilities.

LIBERAL PRINCIPLES

- ▶ Article 44 of the Indian Constitution? The State shall endeavour to formulate and implement a Uniform civil-code for all the people living throughout the territory of India.
- ▶ Article 45 of the Indian Constitution the State shall endeavour to provide early childhood care and education for all the children until they complete the age of six years.
- ▶ Article 47 of the Indian Constitution the State shall strive to raise the level of nutrition and the standard of living. Thus, it will endeavour to improve upon the health of the people.

SOCIALIST PRINCIPLES

- ▶ Article 48 of the Indian Constitution, the State shall strive to organise agriculture and husbandary on modern and scientific lines. It will also try to maintain and improve upon the breed of the animals.
- ▶ Article 50 of the Indian Constitution the state will try to separate the judiciary from the executive in the case of public service.

GANDHIAN PRINCIPLES

- ▶ Article 40, the State will strive to organize Panchayats in villages and will endow them with such powers which enable them to act as units of self-government.
- ▶ Article 43, the state shall strive to develop the cottage industry in the rural areas both, on an individual or co-operative basis.
- ▶ Article 47, the state will strive to ban the consumption of wine, other intoxicating drinks, and all such commodities that are considered injurious to health.
- ▶ Article 48 reveals that the State will ban the slaughtering of cows, calves, and other milch cattle.

INTERNATIONAL PRINCIPLES

- ▶ Article 51(a)- The State will strive to promote international peace and security.
- ▶ Article 51(b)- The State will strive to maintain just and honourable relations among various states in the world.
- ▶ Article 51(c)- The State will endeavour to promote respect for International treaties, agreements, and law.
- ▶ Article 51(f)- The State will strive to settle international disputes by arbitration.

CRITISM OF DIRECTIVE PRINCIPLES OF STATE POLICY

1. These are Non-justiciable
2. Not more than moral principles
3. No proper classification is done
4. Some Directive Principles are not practicable
5. These are foreign in nature
6. Against the principle of State Sovereignty
7. It is illogical to include these principles in the constitution
8. These are responsible for Constitutional conflicts
9. No mention of methods to implement these

IMPORTANCE OF DIRECTIVE PRINCIPLES

1. These Principles are directives for the States
2. Lay down the foundation of Economic Democracy
3. These are measuring rods to judge the achievements of the Government
4. They establish welfare state
5. These are Fundamental in the Governance of the country.
6. These Principles supplement Fundamental rights
7. Guiding Principles for courts
8. They bring stability and continuity in State policies
9. Educative value of Directive Principles.

SANCTIONS BEHIND DIRECTIVE PRINCIPLES

- ▶ Constitution itself
- ▶ Public opinion
- ▶ Utility of Directive principles
- ▶ Constitutional amendments
- ▶ Laws made by the government
- ▶ Executive orders

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