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'Directive Principles of State Policy' in India

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'Directive Principles of State Policy' in India

By Pooja Bakshi.

Section 1: Introduction.

It has been well documented that the original intention of the framers of the Indian Constitution was to create only one set of 'Fundamental Rights' in the Constitution which were to cover civil, political, social and economic rights. In the first draft of Constitution, the Part III consisted of three chapters. The first chapter dealt with certain general principles emphasizing the importance of Directive Principles, the second chapter consisted of the 'Fundamental Rights' and the third chapter comprised of the Directive Principles (Diwan, 1982, pg. 29)

However, it was argued in the Constituent Assembly that in order to make the goal of guaranteeing rights a realizable objective it was important to mark out those rights which would be enforced by the judiciary and others which would not be enforced. It was decided that the rights which were prerequisite for the growth and development of each individual, were put into Part III of the Indian Constitution and named as the 'Fundamental Rights'. These Rights were made legally enforceable.

On the other hand, the rights which were aimed at promoting social and economic progress and required action on the part of the state (in terms of legislation etc) were framed in Part IV of the Indian Constitution as goals for the Indian State and termed as the 'Directive Principles of State Policy' (Deshpande, 1982, pgs. 5-6).

It has been argued that the rationale behind this division of rights was that it was not considered possible at the time of independence for the Indian State to be able to guarantee all rights. The members of the Constituent Assembly felt that at the time of independence the State could guarantee only civil and political rights.

It was argued during the Constituent Assembly that the newly independent Indian State could only guarantee social and economic rights over a period of time. Thus, the civil and political rights were enshrined in the Indian Constitution as the 'Fundamental Rights' where as the social and economic rights were made a part of the 'Directive Principles of State Policy' (Chandra et al, 2000, pg. 55).

The 'Directive Principles of State Policy' (Articles 36-51 of the Indian Constitution) exemplified the aspirations and ideals of the participants of the Indian National Movement. These were envisioned as directives to the State government.

The process of implementation of the Directive Principles was to involve special legislation from the government. In order to bring about social and economic revolution after independence, the Directive Principles were set up in the Indian Constitution.

In the following chapter an attempt will be made to engage deeply with the formulation and execution of the 'Directive Principles of State Policy'. After the introduction, the second section of the chapter will examine the debates held on the issues pertaining to 'Directive Principles of State Policy' during the drafting of the Indian Constitution. In the third section an attempt would be made to examine the significance and utility of the Directive Principles. The fourth section would enumerate the provisions of the Directive Principles. The fifth section would focus on delving into the relationship between 'Fundamental Rights' and Directive Principles. The sixth section of the chapter would outline some conclusions.

Section 2: Debates held during the drafting of the Indian Constitution.

Some significant changes took place in the manner in which the functioning of States and governments was envisaged after the First and Second World War. In this context it was thought that the goal of a government was not just to guarantee political freedom but to also ensure social and economic justice. This broad way of thinking impacted the debates on constitution making in the newly independent countries, including India (Laskar, 1988, pg.15).

Additionally, the knowledge of the members of the Indian National Movement pertaining to constitutions made by European countries (such as Germany, and Eastern European countries) and their socialist commitments; reflected on the manner in which rights were formulated in the Indian Constitution. The members of the Constituent Assembly were inspired by different constitutions of the world. With regard to the provisions on the 'Directive Principles of State Policy' it needs to be stressed that these were modeled on similar provisions existing in the Irish Constitution of 1937.

In the twentieth century the constitutions which were written included justiciable provisions on civil and political rights but not many constitutions included social rights. The reasons for making social and economic rights non-justiciable were two fold (Khosla, 2012, pg. 127). Firstly, the reason was normative. Social rights were seen in the form of positive obligations, which were imposed on the State and it was considered illegitimate to provide for their inspection by judges who were not elected. It was considered more appropriate for these rights to be taken care of by the legislature and executive who could be held accountable by the citizens.

Secondly, the newly founded States did not have the institutional capacity to guarantee social and economic rights immediately after independence. Besides, judges could not be expected to look into activities such as resource allocation

etc, which were to constitute as central tenets of implementation of these social and economic rights.

In the Indian context its important to point out that even before the Second World War attempts had been made by the members of the Indian National Movement to claim rights for themselves form their Colonizers. Since 1925, efforts were made by the participants of the Indian National Movement to convince the British for a need for a set of 'Fundamental Rights'.

In 1928 a Committee was constituted by the All Parties Conference to look into principles which were to be incorporated into the Indian Constitution at the time of achieving independence from the British. This Conference looked into the provisions on 'Fundamental Rights' as well as social and economic rights.

It has also been argued that the members of the Constituent Assembly were inspired by the Universal Declaration of Human Rights and this impacted the manner in which they envisaged rights whilst writing the Indian Constitution. One of the central aims of the participants of the Indian National Movement was to secure rights for each individual who was a part of the British colony and was to be a part of the independent Indian Nation.

During the Indian National Movement there existed many resolutions, committee reports and other documents which served as precursors to the codification of the 'Fundamental Rights' and the 'Directive Principles of State Policy'. Mrs. Besant's Commonwealth of India Bill drafted in 1925 also had provisions on individual liberty, freedom to express opinion, free assembly, freedom of conscience and equality before the law (Austin, 1966, pg. 54).

The Report made by the committee created in 1928 and headed by Motilal Nehru, also had a section dealing with different rights which needed to be guaranteed to future Indian citizens. The Report argued for protection of rights of minorities, and ensuring free and compulsory education to all.

The Karachi Resolution adopted by the Indian National Congress in 1931, also served as an important document in the debate on rights. As per this document arguments were made in the favour of securing rights of industrial workers, ensuring minimum wages, limiting hours of work and creating provisions safeguarding people from the problems of sickness, old age and unemployment. The Karachi Resolution also laid emphasis on ensuring protection of women and children. It also called for the revision of land tenure, taxes and different forms of rent.

Later, the Sapru Committee in 1945 examined the questions pertaining to different aspects of the rights which were to be included in the Indian Constitution, their provisions and whether or not they were to be justiciable. This committee argued for two sets of rights. One set of rights, which were considered to be fundamental in nature were to be justiciable and enforceable by the courts of law.

Whereas, the other set of rights pertaining to the social and economic wellbeing of the people were to be non-justiciable. Sir B.N. Rau argued for the addition of 'Fundamental Rights' and Fundamental Principles of State Policy (Laskar, 1988, pg. 20). Later the 'Fundamental Rights' Sub-Committee of the Constituent Assembly proposed for a division in the section on rights in the Indian Constitution as 'Fundamental Rights' and 'Directive Principles of State Policy'.

The Resolution passed by the Constituent Assembly in 1946 stated that the Indian Constitution would be designed as a document aimed at bringing about social revolution (Austin, 1966, pg. 33). The members of the Assembly wanted to draft a Constitution which was democratic in nature with a slight socialist bias, framed to bring about social and economic justice. Thus, the 'Fundamental Rights' as well as the 'Directive Principles of State Policy' were added in the Indian Constitution with the hope of making freedom and justice realizable goals for all Indian citizens.



'Fundamental Rights' were envisioned as negative obligations on the part of the State. Under their ambit the State was not to encroach on the individual liberty of citizens. The 'Directive Principles of State Policy' on the other hand were seen as positive obligations on the part of the Indian State. This implied that the Indian

State was thereby obliged to enact legislations which would aid in making the people of India free in social and economic terms (Austin, 1966, pg. 51).

The addition of negative rights needs to be understood as corresponding to the needs and demands of the national revolution against colonial rule. The negative rights or 'Fundamental Rights' expressed the need/desire for civil liberty. The impetus for adding positive rights was placed in the social consciousness and welfarist orientation that existed in the world in the twentieth century.

It needs to be understood that in the mid-twentieth century people belonging to newly independent countries associated colonialism with the exploitative nature of capitalism. In other words colonialism signified the domination of indigenous markets with foreign capital (Austin, 1966, pg.60).

Political independence in a minimalist sense was understood as the ability of indigenous people to determine their own economic fortune, and control private property. In such a scenario the 'Directive Principles of State Policy' served as a declaration of economic independence. This implied that in independent India, citizens would have control over the economic and political resources of the country.

Even though the Directive Principles were not to be justiciable, the makers of the Indian Constitution envisioned that they would play a central role in the governance of the country. These Principles were to ensure that the Indian State would work towards the welfare of its citizens. The common men/women's welfare was of preeminence to the members of the Constituent Assembly and in order to ensure this welfare the 'Directive Principles of State Policy' were created.

The Directive Principles represented the humanitarian socialist precepts (Austin, 1966, pg. 75). They also contained provisions taken from Gandhi ji's ideals. For instance, provisions pertaining to the Indian State's responsibility of strengthening village panchayats.

Section 3: Significance and Utility of 'Directive Principles of State Policy'.

The 'Directive Principles of State Policy' have been written in the form of instructions or recommendations to the government and government agencies to formulate policies accordingly. It has been argued that the importance of the 'Directive Principles of State Policy' has not been reduced just because they are not justiciable.

If there is a strong public opinion in favour of these Directive Principles then it would be difficult for the government to ignore them (Mohanty, 2009, pg. 236). People have judged subsequent governments for the manner in which they have/have not legislated on these Directive Principles. The presence of the

Directive Principles has ensured that the government in India has been answerable to the citizens.

Another significant aspect of the Directive Principles is that they present guidelines to the Indian State to act as a Welfare State. They aim at ensuring the realization of social justice and economic democracy. These provisions are framed in the form of positive obligations placed on the State.

For instance, they direct the State government to secure adequate means of livelihood for citizens, to ensure proper standards of nutrition, ensure equal pay for equal work etc. It can be argued that the extent to which these principles are applied whilst governing the Indian State, to the same extent social and economic justice have become realizable and vice versa.

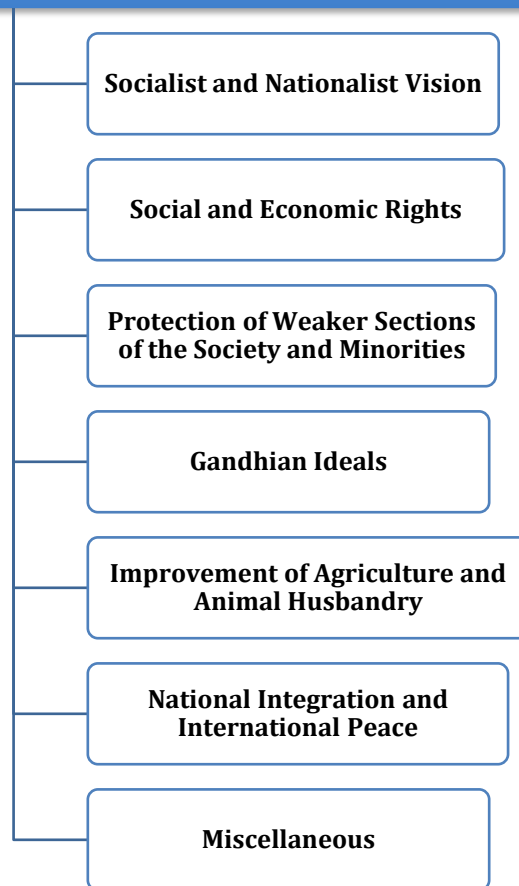
Some scholars have opined that the extent to which the government has/has not been able to realize the ideals present in the 'Directive Principles of State Policy', the 'Fundamental Rights' have become realizable (Mohanty, 2009, pg.239). Individual liberty can only be realized in the presence of social and economic freedom.

However, it is also important to point out criticisms of the 'Directive Principles of State Policy'. It has been a severe limitation that these Principles have not been made legally binding on the State and government. The fact that they have not been made justiciable has restricted their implementation. Several governments have not been able to implement them.

Section 4: Provisions of 'Directive Principles of State Policy'.

The 'Directive Principles of State Policy' are based on the following values. This classification is based on the work of Paras Diwan (1982).

Classification of Directive Principles of State Policy (Paras Diwan, 1982)



1. Encapsulating Socialist and Nationalist Vision-

Article 38 voices the ideals of the participants of the Indian National Movement. It states, 'the state shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social, economic and political, shall inform all the institutions of the national life' (Constitution of India Bare Act, 2011, pg.22).

Article 39 states that in particular the State has to make policies for protecting;

(a) that the citizens, men and women equally, have the right to an adequate means of livelihood;

(b) that the ownership and control of the material resources of the community are so distributed as best to subserve the common good;

(c) that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment;

(d) that there is equal pay for equal work for both men and women;

(e) that the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength;

(f) that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment. (Constitution of India , Bare act 2011,page 22)

2. Promoting Social and Economic Rights-

The Constituent Assembly was not able to incorporate all the social and economic rights into the 'Fundamental Rights'. Hence, it was decided to place some of them within the ambit of 'Directive Principles of State Policy'.

These include the following;

(a) Article 39 A- Right to adequate means of livelihood,

(b) Article 39 B- Right against economic exploitation,

(c) Article 39 D- Right of both sexes to equal pay for equal work,

(d) Article 41- Right to work,

(e) Article 41- Right to public assistance in case of unemployment, old age, or sickness,

(f) Article 41- Right to education,

(g) Article 42- Right to just and humane conditions of work,

(h) Article 42- Right to maternity relief,

(i) Article 43- Right to leisure and rest, and

(j) Article 45- Right to free and compulsory education for children.

3. Securing Protection of Weaker Sections of the Society and Minorities-

According protection to the weaker sections and the minorities was considered very important by the framers of the Indian Constitution. Some provisions to meet this end have been included in the 'Fundamental Rights' whilst others have been included in the 'Directive Principles of State Policy'.

These include,

- (a) Article 39 A- Provision for equitable justice and free legal aid for weaker sections of the society,
- (b) Article 43- which says, 'the State shall endeavour to secure, by suitable legislation or economic organization or in any other way, to all workers, agricultural, industrial or otherwise, work, a living wage, conditions of work ensuring a decent standard of life and full enjoyment of leisure and social and cultural opportunities and, in particular, the State shall endeavour to promote cottage industries on an individual or co-operative basis in rural areas' (Constitution of India Bare Act, 2011, pg. 23).
- (c) Article 43 A- argues in favour of the participation of workers in the process of the management of the industries,
- (d) Article 46- states that, 'the State shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation' (Constitution of India Bare Act, 2011, pg. 23),
- (e) Article 47- imposes the primary duty on the State to raise the level of nutrition of the people. At the same time emphasis is laid on securing a decent standard of living for all citizens of the State.

4. Capturing Gandhian Ideals-

The establishment of Panchayati Raj and the establishment of village industries were central from the Gandhian perspective.

Thus, the following articles are important,

- (a) Article 40- asks the state to take steps to establish village panchayats,
- (b) Article 43- states that the State shall work to promote cottage industries on an individual and cooperative level in rural areas,

- (c) Article 47- directs the State to work towards the prohibition of consumption of intoxicating drinks or drugs which are injurious to health.

5. Improvement of Agriculture and Animal Husbandry-

These above mentioned aspects have been critical parts of the 'Directive Principles of State Policy'. Article 48 states that, 'the State shall endeavour to organize agriculture and animal husbandry on modern and scientific lines and shall, in particular, take steps for preserving and improving the breeds, and prohibiting the slaughter, of cows and calves and other milch and draught cattle' (Constitution of India Bare Act, 2011, pgs.23-24).

It has been argued this voiced the concern of the Hindus against the practice of cow slaughter (Diwan, 1982, pg. 34).

6. National Integration and International Peace-

- (a) Securing the national integration of the country was of utmost importance to the framers of the Indian Constitution. Hence, Article 44 argued for the formation of a Uniform Civil Code.
- (b) Article 51 reads, 'the State shall endeavour to—
- (i) promote international peace and security;
 - (ii) maintain just and honourable relations between nations;
 - (iii) foster respect for international law and treaty obligations in the dealings of organized peoples with one another; and
 - (iv) encourage settlement of international disputes by arbitration (Constitution of India Bare Act, 2011, pgs. 24-25).

7. Miscellaneous-

- (a) Article 48 A- This article has been placed in the 'Directive Principles of State Policy' to ensure the protection of the environment. It states that, 'the State shall endeavour to protect and improve the environment and to safeguard the forests and wild life of the country' (Constitution of India Bare Act, 2011, pg. 23).
- (b) Article 49- states that, 'It shall be the obligation of the State to protect every monument or place or object of artistic or historic interest, declared by or under law made by Parliament to be of national importance, from spoliation, disfigurement, destruction, removal, disposal or export, as the case may be' (Constitution of India Bare Act, 2011, pg. 24).

- (c) Article 50- states that, 'the State shall take steps to separate the judiciary from the executive in the public services of the State' (Constitution of India Bare Act, 2011, pg. 24).

Section 5: Relationship between 'Directive Principles of State Policy' and 'Fundamental Rights'.

The framers of the Indian Constitution intended that the sections on the 'Fundamental Rights' and the 'Directive Principles of State Policy' be read by different organs of the government, in conjunction to each other. However, over a period of time the manner in which these two sections of the Constitution have been read and interpreted has varied significantly. In this section the changing relationship between these two sections of the Indian Constitution will be examined.

Scholars have argued that there can be three possible perspectives on the manner in which the Supreme Court has dealt with the relationship between the 'Fundamental Rights' and the Directive Principles (Jaswal, P. S. 1996, 150). According to the first perspective the 'Fundamental Rights' have been considered to be superior to the Directive Principles, as the former have been read to be justiciable whilst the latter have not been justiciable. In accordance with this view for many years the Supreme Court held that the 'Fundamental Rights' were a sacrosanct part of the Indian Constitution and could not be overwritten by any interpretation of the Directive Principles.

Over a period of time, the Supreme Court has held the view that the 'Fundamental Rights' and 'Directive Principles of State Policy' are equally important constituents of the Indian Constitution. Thus, the Supreme Court has tried to read the provisions present in these two sections in correlation with each other. The judiciary realized that even though the Directive Principles were non-justiciable still they formed a vital part of the Indian Constitution. Hence it was deemed important to interpret them along side the 'Fundamental Rights'.

According to the third perspective Jaswal (1996) argues that the Supreme Court held that the Directive Principles are more important than the 'Fundamental Rights'. It was opined by the Supreme Court that the Constitution held that the Directive Principles were to be fundamental in the process of governing the country, and it was to be the duty of the State to implement the provisions present in the Directive Principles.

After independence, over the first two decades the relationship between the 'Fundamental Rights' and the Directive Principles was marked by a conflict in interpretation between the Indian executive and judiciary (Sibal, 2010, pg. 29). In these years the judges of the Supreme Court followed a positivist approach where by they gave precedence to the 'Fundamental Rights' as they were justiciable as opposed to the 'Directive Principles of State Policy' as they were not

justiciable in the Indian Constitution. Thus, the 'Directive Principles of State Policy' were considered to be inferior to the 'Fundamental Rights'.

The Legislature took a different view on the matter. Being guided by socialistic goals, members of the legislature thought that the Directive Principles were of paramount importance and they could even over ride the 'Fundamental Rights' in case there existed a conflict. Infact when faced with such a conflict, the legislature amended existing laws or created new laws to ensure the realizability of the Directive Principles. A prominent case in point is the Champakam Dorairajan case.

In this landmark case the Supreme Court was asked to comment on a citizen's right to not be discriminated on grounds of caste, religion and sex under Articles 15 (A), 29 (B) from the 'Fundamental Rights' and Article 46 (according to which state should promote education for weaker sections of the population) from the 'Directive Principles of State Policy'. However, the Court held that since the Directive Principles were not enforceable they could not over ride provisions present in the section on the 'Fundamental Rights'.

In this context the legislature passed the First Amendment to the Indian Constitution in 1951. Under this Amendment, Article 15 was changed and a provision was added to it which held that Articles 15 or 29 (B) could not longer prevent the Indian State from making special provisions for the advancement of socially and educationally backward classes.

In the context of economic rights, the difference of viewpoint between the legislature and the judiciary was even more pronounced during this period. In the 1950's and 1960's the judiciary held several provisions enacted by the legislature pertaining to compulsory land acquisition and nationalization of business as being void. The Courts argued that under Article 19 (pertaining to the Fundamental Right to different freedoms) and Article 31 (the Fundamental Right to Property, later repealed in 1978) the above-mentioned economic enactments were void.

In response to this the legislature introduced amendments to the Constitution. For instance, when the Allahabad High Court ruled that the state government should cease the nationalization of private transport business, the First Amendment added a clause to Article 19 (F) in order to subvert this order. Similarly, the Courts held that the abolition of Zamindari was invalid on grounds of violating Article 31, the legislature argued under the ambit of the First Amendment (by adding Article 31 A and Article 31 B) that such enactments were not invalid.

Sibal (2010) has argued that the Fourth and Seventeenth Amendments to the Indian Constitution were brought about to intensify land reform legislations. Under the ambit of the Fourth Amendment a legal debate by the land-holder on the compensation accorded to her/him by the government for acquired land was made non-justiciable. The Seventeenth Amendment brought ryotwari lands under this ambit where in land could be acquired by the government and the compensation provided could not be questioned.

The conflictual relationship between the legislature and the judiciary became even more pronounced in 1960's and 1970's. In this period about 20 amendments were brought about in order to legalize the legislature's decisions to nationalize banks, acquire more land, nationalize insurance, steel plants, shipping lines, textile mills, and end privy purses.

It is important to mention the Twenty-fifth Amendment to the Constitution. This was introduced in 1971 and added Article 31 (C) arguing that no laws made by the legislature to implement Articles 39 (B) and 39 (C) of the Directive Principles would be considered to be void by the Courts for being in violation of the 'Fundamental Rights' in Articles 14 and 19. In the Kesavnanda Bharti case in 1973 the Twenty-fourth, Twenty-fifth and Twenty-ninth Amendments were challenged in the Supreme Court.

In its decision to this land mark case, the Court held that the first part of Article 31 (C) would be valid whilst the second part would not be valid. The Court restricted the ability of the legislature to amend the Constitution. The 'basic structure' argument was made by the Court declaring that the legislature did not have the power to alter provisions of the Constitution which formed the essential nature or spirit of the Constitution. This was a critical judgement as it marked the acceptance of the fact that the Directive Principles were not subservient to the 'Fundamental Rights'.

The Forty-second Amendment to the Constitution needs to be analyzed whilst enumerating the relationship between the 'Fundamental Rights' and the Directive Principles. The Forty-second Amendment was brought about during the time of National Emergency in India and its main aim was to strengthen and enhance the powers of the government. Under its ambit the word 'Socialist' was added to the Preamble and with the changes brought about in Article 31 (C) it was argued that henceforth no law brought about to implement the Directive Principles would be held void for being inconsistent with any of the 'Fundamental Rights'.

This sought to give an edge to the Directive Principles over the 'Fundamental Rights'. Yet in the Minerva Mills case the Supreme Court held the amendment to the Article 31 (C) void as it altered the 'basic structure' of the Indian Constitution. It was argued that to make the Directive Principles more important than the 'Fundamental Rights', especially Articles 14, 19, and 21 would run against the 'basic structure' of the Constitution.

Herein, it was opined that the Directive Principles and the 'Fundamental Rights' needed to be read in harmony with each other. By the end of the 1970's the Directive Principles came to be accorded the same place as the 'Fundamental Rights' in the reading of Indian Constitution.

After the National Emergency the judiciary came to draw on the Directive Principles a lot more than before. Scholars have argued that in this period the Supreme Court took a stance of being informed by broader principles of justice, giving pre eminence to the Directive Principles (Jaswal, 1996 and Sibal, 2010). In the 1980's many social movements also gained precedence and looked at the Supreme Court for support for their claims.

The Supreme Court passed judgements in this period which sought to read the 'Fundamental Rights' and the Directive Principles in conjunction with each other. For instance, in the Bandhua Mukti Morcha case in 1984, the Supreme Court took up the case in spite of the fact that it was based on just a letter written to the Court.

In this case, the Court treated this as a writ petition and ruled that the Fundamental Right enshrined in Article 21 (the right to life) needed to be read together with the Directive Principles 39, 41, 42. This implied that the right to life needed to be expanded to include protection of health, protection of children from forced labour; with correlation to these latter Articles.

In the 1990's India has witnessed a weakening of the welfare functions of the State and an expanded role of the market in this new era of globalization. Yet even in this period the Supreme Court interpreted the 'Fundamental Rights' by reading the 'Directive Principles of State Policy' into them.

For instance; the Court has read Article 21 with Articles 47 and 48 (A) recognizing the right to pollution free environment; similarly the right to education has been accepted as being paramount by reading Article 45 with Article 21 (Sibal, 2010). Even in the context of a conflict between private individuals the Court has read the 'Fundamental Rights' and Directive Principles together.

In the Vishakha case in 1997, the Supreme Court held that norms must be put in place in all forms of work places to prevent sexual harassment. In this decision too the Court read the 'Fundamental Rights' under Articles 14, 15, 19, 21 and the Directive Principles under Article 45; in consonance with each other. Lately, the Supreme Court has begun to take a conservative stance towards the expansion of positive rights.

For instance, in the T.K. Rangarajan case in 2003 the Court held that the Tamil Nadu government workers did not have a legal or moral right to strike. Similarly, in the Narmada Bachao Andolan case in 2000 the Court ruled in favour of the forcible eviction of many people from the sites proposed for the construction of the dam on the river Narmada.

Thus, the relationship between the 'Fundamental Rights' and the 'Directive Principles of State Policy' has varied significantly over the last sixty years.

Section 6: Conclusion.

The 'Directive Principles of State Policy' constitute an important part of the Indian Constitution. The implementation of the provisions of the Directive Principles has widened the scope for realization of freedom. Additionally, with these Principles it has become possible to argue with the Indian State for the realization of social and economic freedom for Indian citizens.

The provisions in the 'Fundamental Rights' and the 'Directive Principles of State Policy' need to be read together for the realization of the ideals inscribed in the Indian Constitution. The role they will continue to play in the Indian democracy will depend on the manner in which the legislature and judiciary continue to interpret and implement these directives.

Exercise.

- 1. Write an essay on the debates surrounding 'Directive Principles of State Policy' held during the drafting of the Indian Constitution.**
- 2. What is the significance and utility of the 'Directive Principles of State Policy'? Discuss with reference to the Constituent Assembly debates.**
- 3. What are the major provisions of the 'Directive Principles of State Policy'? Why did members of the Constituent Assembly make a distinction between 'Directive Principles of State Policy' and 'Fundamental Rights'?**
- 4. Write an essay on the relationship between 'Fundamental Rights' and 'Directive Principles of State Policy' in the Indian context.**

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