

**7**

DIRECTIVE PRINCIPLES OF STATE POLICY AND FUNDAMENTAL DUTIES

The Constitution of India aims to establish not only political democracy but also socio-economic justice to the people to establish a welfare state. With this purpose in mind, our Constitution lays down desirable principle and guidelines in Part IV. These provisions are known as the Directive Principle of State Policy. In this lesson we will study about Directive Principles in detail.

It is a well-established saying that rights have significance only when enjoyed in consonance with the duties. Therefore, the Fundamental Duties were inserted in Article 51A of our Constitution in 1976 by 42nd Amendment Act. In the original Constitution in 1950, there was no mention of these duties. It was expected that the citizens would fulfil their duties willingly. We will also learn about these duties in this lesson.



Objectives

After studying this lesson, you will be able to

- understand the meaning of Directive Principles of State Policy.
- classify the Directive Principles into four groups i.e. economic and social, Gandhian, administrative and those related to international peace.
- recognize the role of Directive Principles in promotion of universalisation of education, abolition of child labour and improving the status of women.
- explain the Directive Principles which provide the framework of welfare state to be realised in practice in India .
- describe that the Directive Principles aim at the establishment of economic and social democracy.

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- explain the role of government at different levels in implementing these principles.
- distinguish between Fundamental Rights and the Directive Principles of State Policy.
- appreciate the content of Fundamental Duties.
- identify the Fundamental Duties given in the Constitution.
- appreciate the importance of Fundamental Duties despite their being non-justiciable.

7.1 Meaning of Directive Principles of State Policy

Directive Principles of State Policy are in the form of instructions/guidelines to the governments at the center as well as states. Though these principles are non-justiciable, they are fundamental in the governance of the country. The idea of Directive Principles of State Policy has been taken from the Irish Republic. They were incorporated in our Constitution in order to provide economic justice and to avoid concentration of wealth in the hands of a few people. Therefore, no government can afford to ignore them. They are in fact, the directives to the future governments to incorporate them in the decisions and policies to be formulated by them.

7.2 Classification Of The Directive Principles

Directive Principles of State Policy have been grouped into four categories. These are: (1) the economic and social principles, (2) the Gandhian principles, (3) Principles and Policies relating to international peace and security and (4) miscellaneous.

7.2.1 The economic and social Principles

The state shall endeavour to achieve Social and Economic welfare of the people by:

- (1) providing adequate means of livelihood for both men and women.
- (2) reorganizing the economic system in a way to avoid concentration of wealth in few hands.
- (3) securing equal pay for equal work for both men and women.
- (4) securing suitable employment and healthy working conditions for men, women and children.
- (5) guarding the children against exploitation and moral degradation.
- (6) making effective provisions for securing the right to work, education and public assistance in case of unemployment, old age, sickness and disablement.
- (7) making provisions for securing just and humane conditions of work and for maternity relief.
- (8) taking steps to secure the participation of workers in the management of undertakings etc.
- (9) promoting education and economic interests of working sections of the people especially the SCs and STs.



- (10) securing for all the workers reasonable leisure and cultural opportunities.
- (11) making efforts to raise the standard of living and public health.
- (12) providing early childhood care and education to all children until they complete the age of 6 years.

7.2.2 The Gandhian Principles

There are certain principles, based on the ideals advocated by Mahatma Gandhi. These Principles are as follows : -

- (1) To organize village Panchayats.
- (2) To promote cottage industries in rural areas.
- (3) To prohibit intoxicating drinks and drugs that are injurious to health.
- (4) To preserve and improve the breeds of the cattle and prohibit slaughter of cows, calves and other milch and drought animals.

7.2.3 Directive Principles of State Policy Relating To International Peace And Security :

India should render active cooperation for world peace and security and for that the state shall endeavour to : -

- (1) promote international peace and security.
- (2) maintain just and honourable relations between nations.
- (3) foster respect for international laws and treaty obligations.
- (4) encourage settlements of international disputes by mutual agreement.

7.2.4 Miscellaneous

The Directive Principles in this category call upon the state : -

- (1) To secure for all Indians a uniform civil code.
- (2) To protect historical monuments.
- (3) To save environment from pollution and protect wild life.
- (4) To make arrangements for disbursement of free legal justice through suitable legislation.



Intext Questions 7.1

Identify and place the given Directive Principles in various categories – Gandhian, Economic and Social, International Peace and Miscellaneous:-

- (i) to promote cottage industries.
- (ii) to provide adequate means of livelihood for both men and women.

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- (iii) to provide living wages for working sections.
- (iv) to provide early childhood care and education for all children until they complete the age of 6 years.
- (v) to protect historical monuments.
- (vi) to bring about reforms to save environment from pollution and protect wild life.

7.3 Directive Principles : Universalisation of Education, Child Labour and Status of Women

Illiteracy is a big hindrance in the achievement of the goals of socio-economic justice and welfare state.

7.3.1 Universalisation of Education

The percentage of literate people at the time of independence was only 14%. Our government realized the importance of education and laid stress on the spread of literacy among the masses. Efforts have been made by the governments to raise this level. But a large section of our population is still illiterate. The foremost effort which is required in this field-is the spread of elementary education and its universalisation. Due to increased number of drop outs at the primary stage, the number of illiterates between 15 to 35 years of age has constantly increased.

According to National Policy on Education, 1986, the government has launched National Literacy Mission, and 'Operation Blackboard' for the spread of mass literacy at primary stage. For those who were deprived of the benefits of education in their childhood, the government and many voluntary agencies are making special efforts to educate them by opening night schools and adult literacy centers.

Many distance education programmes through correspondence courses, distance education and open learning have been started in different states. The National Institute of Open Schooling and several Open Universities have been set up to attain the goal of universalisation of education. The Directive Principles providing free and compulsory education for children upto the age of 14 years has been included through the 86th Amendment Act, 2002 in the list of Fundamental Rights under Article 21A.

Though much has been achieved but still there is a long way to go to accomplish this objective of a welfare state.

7.3.2 Child Labour

You have already read that one of the Directive Principles provides opportunities and facilities to children to develop in a healthy manner. You have also read about the Fundamental Right against Exploitation of children. Employment of children below the age of 14 years in mines and industries which are hazardous to their health is prohibited.

In spite of these provisions, the desired results have not been reached. In most of the cases, the parents attitude is not conducive to the elimination of child labour. They force



their children to do some sort of work to earn money and contribute to the family income. Poverty and social stigma are certain constraints on the path of eradication of this problem apart from the lack of will. All efforts by governments at various levels would prove futile unless the willingness and awareness to get rid of the social challenge comes from within. Dr. Abdul Kalam's 'dream of developed India 2020' can be achieved only when the children who are the future of the country are secured and protected from being exploited. The children should not be deprived of their right to enjoy childhood and right to education.

7.3.3 Status of Women

Indian society basically is a male dominated society in which father has been head of the family and mother's position has been subordinated to him. The position of a woman in such a system is naturally weak. Women have been suffering a great deal on account of cruel social customs and religious practices like, *pardah* and dowry etc.

Women as an integral part, account for 495.74 million and represent 48.3% of the country's total population as per 2001 census. Necessity of raising the status and education of women has already been stressed in our Constitution through Fundamental Rights and various Directive Principles of State Policy. They have been provided with the right to an adequate means of livelihood and equal pay with that of men for their work. Women workers have also been provided for health-care and maternity-relief.

Even in the Fundamental Duties stress has been laid on the duty of every citizen of India to renounce practices derogatory to the dignity of women.

Many laws and judicial decisions have restored the dignity of women. To protect their rights, measures have been taken to give them share in the family property. For their emancipation from cruel practices like bride burning for dowry, wife beating, *sati* etc. laws have been enacted. Prohibition of female infanticide, foetouscide, discrimination against girl child and child-marriage are some of the other measures that will help in improving the status of women.

To empower women, reservation of one third of seats through the 73rd and 74th Amendment Act, 1991, 1992 for them has been made in the Panchayats and Municipalities. There is a similar proposal for reservation of seats for them in the Parliament and in the state Legislatures.



Intext Questions 7.2

Choose the correct answers from the alternatives given below:

- (a) What was the percentage of literate people at the time of independence?
- (i) 12%
 - (ii) 14%
 - (iii) 16%
 - (iv) 18%
- (b) When was the National Educational Policy started?

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- (i) 1984
 - (ii) 1986
 - (iii) 1988
 - (iv) 1989
- (c) In which part of the Constitution is the Provision against Exploitation of Children made?
- (i) Fundamental Rights
 - (ii) Fundamental Duties
 - (iii) Directive Principles of State Policy
- (d) In which of the following Equal Pay for Equal Work for both men and women provide?
- (i) Fundamental Rights
 - (ii) Fundamental Duties
 - (iii) Directive Principles of State Policy
- (e) When was the department of women and child Development set up in India?
- (i) 1978
 - (ii) 1985
 - (iii) 1992
 - (iv) 1995

7.4 Critical Analysis Of Directive Principles

Many critics have called these Directive Principles of State Policy as not better than 'New Year Greetings'. Even the rationale of inserting such high sounding promises has been questioned. It has been asserted that Directives are in the form of holy wishes having no legal sanction behind them. Government is not bound to implement them. Critics point out that they are not formulated keeping the practical aspect these ideals in mind.

Despite all this, it can not be said that these Principles are absolutely useless. They have their own utility and significance. The Directive Principles are just like a polestar that provide direction. Their basic aim is to persuade the government to provide social and economic justice in all spheres of life, keeping in view its limited material resources, at the earliest possible. Many of them have been implemented very successfully. Actually, no government can afford to ignore these instructions as they are the mirror of the public opinion and also reflect the basic spirit of the Preamble of our Constitution. Some of the steps taken in this direction are being listed below:

- (1) Land reforms have been introduced and Jagirdari and Zamindari systems have been abolished.

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- (2) There has been rapid industrialisation and tremendous increase in the agricultural production through Green Revolution.
- (3) National Commission for the Welfare of Women has been established.
- (4) Ceiling has been placed on land and property to fix the limit of person's holdings.
- (5) The privy purses of ex-princes have been abolished.
- (6) Life Insurance, General Insurance and most of the banks have been nationalised.
- (7) In order to reduce economic disparity, Right to Property has been deleted from the chapter on Fundamental Rights.
- (8) Subsidized public distribution schemes have been launched to help the poor people.
- (9) The rules require that both men and women are paid equal wages for equal work.
- (10) Untouchability has been abolished. Sincere efforts have been made for the upliftment of the SCs, STs and of other Backward Classes.
- (11) Through 73rd and 74th Amendments to the constitution, (1991 & 1992 respectively), Panchayati Raj has been given the constitutional status with more powers.
- (12) Small scale and village industries and Khadi Gram Udyog have been encouraged to bring prosperity to the rural areas.
- (13) India has also been actively co-operating with the U.N. to promote international peace and security.

The above steps on the part of the central and state governments indicate that many Directive Principles of State Policy have been implemented to lay down the foundations of a secular, socialist and welfare state. However, still there is a long way to go to achieve all of them in full.

There are many hindrances in the non-implementation of Directive Principles of State Policy. The main reasons are – (a) lack of political will on the part of the states, (b) lack of awareness and organized action on the part of the people and (c) limited material resources.



Intext Questions 7.3

Fill in the blanks with the correct answers :-

- (i) A _____ state takes the responsibility of providing goods and services to the weaker sections in society. (socialist, charitable, welfare)
- (ii) Government has tried to bring about _____ distribution of wealth (equal, unequal, equitable)
- (iii) The _____ system has been abolished all over India. (capitalist, zamindari, caste)
- (iv) Khadi and village Industries Board has been set up to promote _____ industries (small, medium, cottage)

- (v) Panchayati Raj institutions were given constitutional status by _____ Amendment Act. (72nd, 73rd, 71st)



Notes

7.5 Distinction between Fundamental Rights and Directive Principles

Now that you know about Fundamental Rights and Directive Principles of State Policy, which are playing an important role in the establishment of the political and socio-economic society in India, it is important for you to learn about the distinction between the two. The Fundamental Rights are claims of the citizens recognized by the state. They are in the nature of denial of certain authority to the government. They are, therefore, negative in nature. The Directive Principles are like positive directions that the government at all levels must follow to contribute to the establishment social and economic democracy in India.

Another point of difference as mentioned earlier is that while the Fundamental Rights are justiciable and are enforceable by the court of law, the Directive Principles are non-justiciable. In other words, the Supreme Court and the High Courts have the powers to issue orders or writs for enforcement of Fundamental Rights. The Directive Principles of State Policy, on the other hand, confer no legal rights and create no legal remedies. This should not lead us to conclude that the Directive Principles are inferior or subordinate to the Fundamental Rights.

7.5.1 Relationship between Fundamental Rights and Directive Principles

In spite of these differences, there is a close relationship between the two. Fundamental Rights and Directive Principles are complementary and supplementary to each other. Whereas the Fundamental Rights establish political democracy, the Directive Principles establish economic and social democracy. No government can afford to ignore them while formulating its plans and policies as it is responsible for all its actions to the people in general. Although there is no legal sanction behind these principles, the ultimate sanction lies with the people. The people with their opinion will never let the ruling party to acquire power again if it fails to adhere to these guiding principles. Thus, our Constitution aims at bringing about a synthesis between Fundamental Rights and Directive Principles of state policy. Together, they form the core of the Constitution.



Intext Questions 7.4

Fill in the blanks:-

- (a) The Directive Principles are _____ in nature. (negative, positive, natural)
- (b) The Fundamental Rights aim at the development of every _____. (family, group, individual)
- (c) The Directive Principles are meant to establish _____ democracy. (political, cultural, socio-economic)
- (d) The Fundamental Rights and Directive Principles have _____ relationship with each other. (close, indirect)



7.6 Fundamental Duties

Rights and Duties are two sides of a coin. There are no rights without duties, no duties without rights. In fact, rights are born in a world of Duties. The original Constitution enforced in 1950, did not mention Fundamental Duties of the citizens. It was hoped that citizens would perform their duties willingly. But, 42nd Amendment to the Constitution added a new list of 10 duties in chapter IV under Article 51A of the Constitution.

7.6.1 Duties Enlisted

- (i) To abide by the Constitution and respect our National Flag and National Anthem.
- (ii) To follow the noble ideals that inspired our national freedom movement.
- (iii) To protect the unity and integrity of India.
- (iv) To defend the country when the need arises.
- (v) To promote harmony and brotherhood among all sections of the people and to respect the dignity of women.
- (vi) To preserve our rich heritage and composite culture.
- (vii) To protect and improve our natural environment including forests, rivers, lakes and wildlife.
- (viii) To develop scientific outlook and humanism.
- (ix) To protect public property and not to use violence.
- (x) To strive for excellence in all spheres of individual and collective activity.

New Addition

- (xi) Clause (K) Art 51A Amendment Act 86th 2002.
- (K) “a parent or guardian to provide opportunities for education of his child or as the case may be ward between the age of six and fourteen years.



Intext Questions 7.5

Write ‘True’ or ‘False’.

- (i) The Rights and Duties are the two sides of the same coin. (True/False)
- (ii) The Fundamental Rights were there in the original Constitution. (True/False)
- (iii) The Fundamental Duties have been mentioned along with the Fundamental Rights. (True/False)
- (iv) There are ten Fundamental Duties now. (True/False)

7.6.2 Nature of Fundamental Duties

Fundamental Duties for citizens are in nature of a code of conduct. A few of these duties are even vague and unrealistic. The non-justiciable character of these duties make them

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less interesting. Moreover, their ambiguous language is another hindrance in their being obeyed e.g. a citizen does not know how to maintain sovereignty, integrity and glorious heritage of the country.

There is a lot of truth in the argument of the critics, yet, it would not be proper to call these duties as only pious declarations.



Intext Questions 7.6

Choose the right answer :-

- (i) The Fundamental Duties are justiciable/non-justiciable.
- (ii) These Duties are clear/ambiguous.



What You Have Learnt

The Directive Principles of State Policy are included in Part IV of the Constitution. The framers of the Constitution included them with a special purpose of bringing about social and economic equality. These principles give directions to the state for making laws and policies for the collective good of the people. These Principles are non justiciable and are not enforceable by the Courts of law. But they are nevertheless fundamental to the governance of country.

For the sake of convenience, they were classified into four categories -

- (1) Socio-economic principles
- (2) Gandhian
- (3) International peace and Security
- (4) Miscellaneous

The Directive Principles lay stress on universalisation of education, abolition of child labour and improvement of the status of women. They provide a framework for establishing welfare state and achieving economic and social democracy.

There are important differences between the Fundamental Rights and Directive Principles. The former are justiciable and positive in nature. At the same time, there is close relationship between the two. They are equally important to bring social and economic democracy in practice. The Courts have been laying stress on the implementation of Directive Principles.

Rights and Duties are two sides of the same coin. In the interest of the well being and progress of the society, Rights and Duties must be adhered to equally by all.



Terminal Exercises

- Q.1 Examine the nature of Directive Principles of State Policy. What is the sanction behind them?
- Q.2 Discuss the classification of Directive Principles of State Policy.

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- Q.3 Analyse how the Directive Principles of state Policy of Universalisation of education has been implemented?
- Q.4 Evaluate the Directive Principles of State Policy on (a) Child Labour and (b) Status of Women.
- Q.5 Examine the role of the state in the implementation of Directive Principles of State Policy.
- Q.6 Explain Briefly the interrelationship between Fundamental Rights and Directive Principles of State Policy.
- Q.7 Recall the Fundamental Duties in our Constitution.



Answers to Intext Questions

7.1

- (i) Gandhian
- (ii) social and economic
- (iii) social and economic
- (iv) social and economic
- (v) miscellaneous
- (vi) miscellaneous

7.2

- (i) 14%
- (ii) 1986
- (iii) Fundamental Rights
- (iv) Directive Principles
- (v) 1985

7.3

- (i) welfare
- (ii) equitable
- (iii) zamindari
- (iv) small
- (v) 73rd

7.4

- (i) positive
- (ii) individual

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(iii) economic

(iv) close

7.5

(i) Yes

(ii) No

(iii) Yes

(iv) No

7.6

(i) non-justiciable

(ii) ambiguous

Hints of Terminal Exercise

(1) Refer to section 7.1 and 7.2

(2) Refer to section 7.2

(3) Refer to section 7.3.1

(4) Refer to section 7.3.2 and 7.3.3

(5) Refer to section 7.4

(6) Refer to section 7.5.1

(7) Refer to section 7.6.1