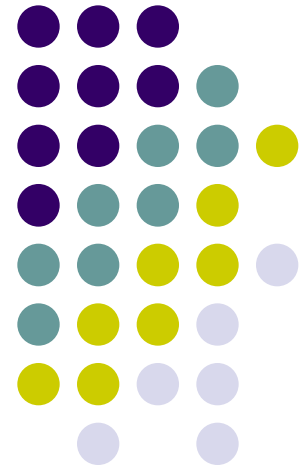
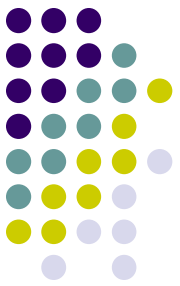


An Overview of DPSP & Fundamental Duties

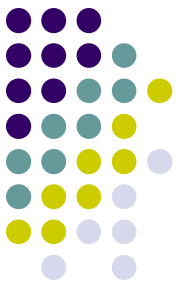
-Dr.G.B.Reddy





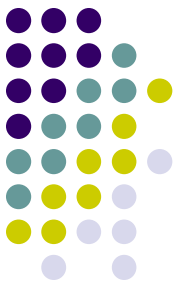
Importance of DPSP

- Part IV, Art.36-51,Art.335,351-Directive for Development of Hindi Language etc
- Designed to usher in social and economic democracy
- Non-justiciable but fundamental in governance of the country
- Impose duty on State to apply them in making laws



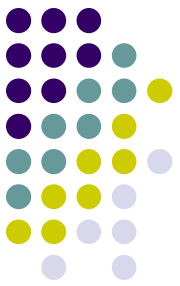
Philosophy of Directives

- Welfare state
- Politico-socio-economic democracy
- Contain long term goals of constitution
- Guide exercise of legislative power but do not control it
- Supplementary and complementary to F.Rts.



Philosophy of Directives

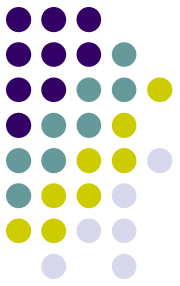
- Not mere pious obligations
- Another name for Instrument of Instructions
- Not absolute
- Subject to economic capacity & development
–E.g. Art.41
- Also subject to existence of congenial atmosphere – E.g. Art 44



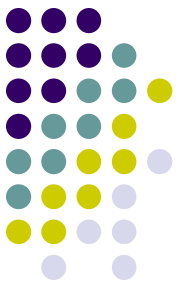
Scheme of DPSP

- Part-IV, Art. 36-51
- 19 Articles in all
- 42nd Amendment, 86th and 97th Amendments - their impact
- State - same meaning as u/a 12
- Also contained at other places in Constitution

Classification of DPSP



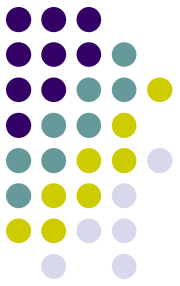
- Social and Economic Charter - Arts.38 & 39
- Social Security Charter -Art.39-A,41,42,43,45,46,47
- Community welfare Charter –Art.40,44,48,48-A,49,50 &51



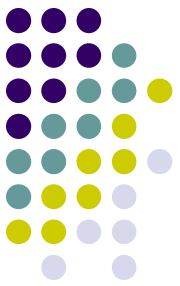
An Audit of DPSP & their implementation

- Land reforms, equal pay for equal work, maternity relief, social security
- Free legal aid, local self government
- Right to education and right to Early childhood care and Education for all children up to 06 years
- Environmental protection
- Contentious areas-Uniform Civil Code

DPSP and Judicial Response



- No hands-off attitude
- Interpretation of many DPSP as F.Rts.
- Directions to enact UCC
- Declaration that Harmony is needed between F.Rts., and DPSP-Art.31-C

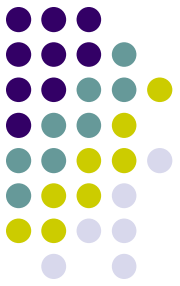


Conclusion

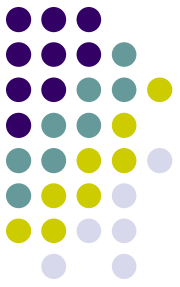
- DPSP-not intended to remain DPSP forever
- Many laws and programs introduced by State to enforce them
- Remain as conscience of government
- Success of any government-determined in terms of enforcement of DPSP

Fundamental Duties

Art.51-A & Part.IV-A



- Source - Soviet and other Socialist Constitutions
- Introduced by 42nd Amendment, 1976
- 11 in number
- Imposed on citizens
- Statutory duties and enforceable by law
- Aid in interpretation of constitution



Thank You