CHAPTER III
Indian Constitution and
Directive Principles of State Policy
Chapter 3

(A) INTRODUCTION:

(BACKGROUND OF D.P.S.P.)

After the end of the Great War (1914 - 1918) the Indian National Congress launched a struggle for political independence from the British rule under the leadership of Mahatma Gandhi. Historically speaking, the pre-independence political struggle was aimed at to "end exploitation of Indian masses" which meant that political freedom must include the economic freedom of the starving millions which means the right to use our material resources for the uplift of the common man. At the Round Table Conference in London in 1931 Gandhi stated that the Congress stood to solve the problem of the age-old sufferings of millions of people resulting from exploitation. Nehru and Congress leaders said time and again, during the days of freedom struggle that political independence for the country would have no meaning if the starvation and exploitation of the millions
were not ended. When "Swaraj" came to the country and the task of framing a constitution was taken up the ideal of "egalitarianism" was incorporated in its preamble and in Part IV entitled "Directive principles of state policy". The preamble promised to secure to all citizens of India, justice, social, economic and political, liberty of thought, expression, belief, faith and worship and equality of status and opportunity.

The novel feature of the Constitution is borrowed from the constitution of Ireland which had copied it from this Spanish Constitution. The longstanding affinity of the Indian National Congress with the Irish Nationalist Movement made an example of Constitutional declaration expressed in the Irish Directive Principles of state policy especially attractive to the Congress Assembly members, particularly the socialist wing with its fold. But the most weighty support came from B.N. Rau, the Constitutional Adviser to the constituent Assembly. According to Dr. Jennings the Directives having emerged in Spain followed by Ireland (and adopted by India) are predominantly Roman Catholic because Roman Catholics "are provided by their church, not only with a faith but also with a philosophy. At home the immediate source of this chapter is the Instruments of Instructions, under the government Act of 1935. The only difference is that the Instrument of Instructions were directed to the executive while the Directives convey instructions to the state legislature and the executive. While formulating their policy, these objectives or ideals must be borne in mind by the union and state governments since they lay down the social and economic principles which are bound to usher in an era of socialism. It may, however, be pointed out that they do not form the complete blue-print nor do they constitute a cut and dried
and rigid programme but they simply reflect the aspirations of the founding fathers who wanted every government to make an effort to establish economic democracy in the country.

Inspired by the Irish Constitution of 1937 B.N. Rau suggested the inclusion of Fundamental Rights and Fundamental Principles of State Policy, the former relating to personal and political rights enforceable in the Court of Law; the latter relating to social economic rights unenforceable in the Courts. The Irish constitution of 1937 has followed the plan of separating fundamental rights from directive principles of State Policy, the former are to some extent enforceable in the Court, but the latter are not. The influence of Fabian socialism which was popular in United Kingdom is very much on these principles. While suggesting for inclusion of the Directive Principles B.N. Rau did not consider them more than "moral precepts" and believed that they, would have an educative value if not anything else. They were considered by B.N. Rau while enlarging their scope "as general guidance". The Fundamental Rights and the Directive Principles, therefore are to work in harmony so as to provide a firm base for reconstructing a new society through peaceful social revolution. Although almost four decades have passed since the adoption of the Constitution, it can not be denied that these principles have remained unimplemented as "pious hopes". The time has come when these principles must be implemented to establish social justice by removing glaring economic imbalances of our society. Law, as an instrument of social change, must create a climate for social good and happiness for all so as to avoid socio-economic conflict in the society. The Directive Principles are not
only "decorative purposes" or "show pieces" but are means to secure a better life and high standard of living to the neglected people of our country.

Dr. B.R. Ambedkar, the author and architect of the Indian Constitution while piloting the Draft Constitution observed. "It is the intention of the Assembly that in future both the legislature and the executive should not merely pay lip service to these principles enacted in this part but they should be made the basis of the legislation and executive action that may be taken hereafter in the matter of the governance of the country". He, during his speech on the floor of the Constituent Assembly, warned "If any government ignores them, they will certainly have to answer for them before the electorate at the election time".¹ Prof. K.T. Shah suggested that the principles included in the so-called non-justiciable rights should not be treated as mere directions of policy for general guidance, they must be regarded as the objectives of national activity and it must be the endeavour of every unit as well as the union to give effect to them (C.A.D., 1949 Vol. VII Page NO.476). While making observation on the Draft Constitution Biswanth Das said that these Directive Principles are just "pious hopes and pious wishes" which could occasionally create trouble to the Government (C.A.D. Vol. VII Page : 583 24th Nov., 1948).

As matter of fact most of the principles laid down in the part IV of the Constitution related back to 1931 when the Indian National Congress, which met at Karachi, resolved that the state should safeguard the interest of the people. The view of the late Chief Justice P.B. Gajendragadkar was that there is a close
resemblance between the Directive Principles and the Resolution which was adopted by the Indian National Congress at Karachi in 1931. Thus the roots of directive principles can be found in the Resolution of 1931.2 (C.A.D.) 1949, Vol.VII Page : 478).

B) IMPORTANCE OF DIRECTIVE PRINCIPLES:

The principles in accordance with which any state develops on the pre-fixed plan are called the Directvie Principles of State Policy. Infact, these principles are the pillars of a welfare state and inspiring symbols of the development of a nation on socialistic pattern. If the preamble is the key to the understanding of the Constitution or to open the mind of its makers, the Directive Principles of State Policy, as enshrined in Part IV, are its beau ideal. It is here that the Constitution makers used their sagacity in setting forth the humanitarian socialist principles which epitomised the hopes and aspirations of the people and declared them as fundamental in the governance of the country. The Fundamental Rights and the Directive Principles together constitute the solid foundation stone of our sovereign, secular, socialist, democratic, republic adopted by the Constitution of India in order to secure to the citizens of India certain laudable purposes declared in the preamble of the Constitution. The need of the hour is that for the successful democratic system with socialist aim, an effective implementation of these positive obligations enshrined in part IV of the Constitution is a must. If any government of the day ignores them, the people of this country will also ignore at the polls. The Directive Principles have been prescribed as the fundamental guidelines for the Republican form of government and therefore it is
the supreme duty of the state today to apply these principles in making laws for the governance of the country.

K.S. Hedge while explaining the importance of these principles states the "It has been said that the aim of the Directive Principles is to fix certain social and economic goals so that the radical social changes may come in society by peaceful revolution. This revolution is inevitable to fulfil the basic needs and requirements of the common man whose socio-economic change is the safe base for democracy." Prof. Shibhanlal Saxena said that this "chapter is not merely a chapter or pious wishes, but a chapter containing great principles. This is a very important chapter which lays the Principles which will govern the policy of the state and which therefore will ensure to the people of the country the realization of the great ideals laid down in the preamble". Pandit Thakur Das Bharvaga regarded these Directive Principles to be the "essence of this Constitution". S.V. Krishna Murthy said that the chapter on Directive Principles contains the germs of a socialistic government and argued that this chapter should come immediately after preamble. The view of G.N. Joshi is the Directive Principles "Constitute a very comprehensive, political social and economic programme for a modern democratic state". According to Chief Justice Beg, the Directive Principles lay down the path which has to be pursued by our parliament and state legislatures in moving towards the objectives contained in the preamble. According to Justice Mathew, Directive Principles are moral rights and they are essential features of the Constitution. According to Dr. Ambedkar, the Directive Principles have great value because they lay down that "our ideal is economic democracy". The view of Alan Giedhill is that it will be difficult for any public figure to propose
any important legislative measures without making an appeal to the fundamental rights or the directive principles. These fundamental axioms of state policy, though of no legal effect, have served as useful beacon light to Courts. Like the Magna Carta in England and the Declaration of Independence in America, they are bound to influence the Judges to a great extent in interpreting the Constitution and the law of the land. Part III of the Constitution paves the way towards the ideal of political democracy, while part IV aims at attaining economic democracy. L.V.S. Sarwati described these directive principles as "fundamental and basic".

Alan Gledhill in his book 'The Republic of India' observes that the lives of countless individuals have been shaped by moral precepts. Although the Directive Principles can not be enforced by the Courts, yet they serve as ideas for Judges and influence their interpretation of laws. The liberal principles in Indian Constitution may seem strange and funny to the foreigners but they have a great significance for Indians. Any state policy in contravention of any of the Directive Principles will be considered as much unconstitutional as the violation of Fundamental Rights. Though the public opinion is the main force behind the Directive Principles, the effectiveness of these principles shall really depend upon the political education of the Indian people. If the people of India are always conscious of their welfare, then the government will always be careful to implement these principles.

But the Directive Principles have been sceptically received by some eminent authorities. K.C. Wheare has doubted "Whether there is any gain on
balance from introducing these paragraphs of generalities into a Constitution.\(^7\) He is of the view that a Constitution should include only those provisions which are capable of enforcement and are obligatory on the state. Jennings also questioned the reasonableness of inserting in a Constitution a collection of political principles which "obviously derive from English experience in the nineteenth century and are deemed to be suitable for India in the middle of the twentieth century". T.T. Krishnama Chari described them as "Veritable dust bin of Sentiment". They have been described only as "Platitudes and pious wishes".\(^8\) Naziruddin said "I think that these are pious expressions. They have no binding force they are pious superfluities".\(^9\) Kazi Syed Karimuddin said what is stated in Part IV is Vague ............... It is nothing but "drift".\(^10\) Dr. P.S. Deshmukh said that the Directive Principles are equivalent to an "election manifesto and therefore are not of a very fundamental nature"\(^11\) Mehaboob Ali Baig Saheb said that the Directive Principles have no place. It is undemocratic, opposed to parliamentary democracy\(^12\) Pandit Hirday Nath Kunzru attached "no value" to any of the principles included in the chapter on Directive Principles because it stated that nothing in the chapter "can be judically enforced".\(^13\) Biswanth Das said that these Principles are just "pious hopes and pious wishes" which could occasionally create trouble for the government.\(^14\)

The Directive Principles as incorporated in Chapter IV of our Constitution have been vehemently criticised since the day they were placed before the Constituent Assembly. Lack of legal force behind them is the main ground of criticism. K.T. Shah described them as a cheque payable by the bank at its convenience. A Constitution, infact, is not a place for moral precepts. In that
case the Ten Commandments of Bible could as well have been placed in this chapter. According to Jennings Directive Principles, like fundamental rights are not based upon consistent philosophy. They are vague and neither properly arranged nor logically classified. It is rather unnatural for a sovereign state to adopt these Principles. A superior government may lay down such instructions for an inferior government but hardly there is any necessity of such instructions or directions for a sovereign state. They have rightly been described as a "Parade of high sounding sentiments couched in vainglorious verbiage". Their practicability and soundness also has been challenged by some critics. The Directive Principle concerning 'Prohibition' for instance is very strongly criticised by the advocates of sound economy of the country. The so-called laudable reform causes a great loss to the national exchequer. Mr. Santhanam expressed this apprehension in the constituent Assembly that these Directive Principles may lead to a conflict between the President of India and the Prime Minister and between the governor and the provincial Ministers. The critics remarked that the chapter is an ingenious blend of pious wishes, noble aspirations, economic maxims, and moral precepts which ultimately degenerate into sublime nonsense.

Inspite of such vehement criticism it is wrong to say that there is no force behind them. In this age of democracy, "Vigilant public opinion" is the real force behind an institution which stands for the benefit of the individuals. The actions of the government are subject to scrutiny by the masses and the distinguished leaders of the party.

C) OBJECTIVES OF D.P.S.P.
In the words of late Chief Justice P.B. Gajendragadkar "The ultimate object of Directive Principles is to liberate the Indian masses in a positive sense, to free them from passivity engendered by centuries of coercion by society and nature and by ignorance, and form object physical conditions that had prevented them from fulfilling their best selves." The view of G.N. Joshi is that Directive Principles "constitute a very comprehensive, political, social and economic programme for a modern democratic state". Granville Austin Calls them the conscience of the Constitution. According to Chief Justice Beg. The Directive Principles lay down path which has to be pursued by our parliament and state legislatures in moving towards the objectives contained in the preamble. According to Justice Mathew, Directive Principles are moral rights and they are an essential feature of the Constitution. According to Dr. Ambedkar, the Directive Principles have great value because they lay down that "our ideal is economic democracy". The Directive Principles will pave for the all round development of the country. Infact these principles are the pillars of a welfare state and inspiring symbols of the development of nation on socialist pattern. Article 36 to 51 of the Part IV of Constitution lay down 16 Directive Principles, which can broadly be divided into different categories.

**DIRECTIVE PRINCIPLES CONCERNING SOCIAL DEVELOPMENT**:

Article 38 provides that the state shall strive to promote the welfare of the people by securing and protecting as it may, a social order in which justice, social, economic and political shall prevail in all the institutions of national life. Article 47 provides that it is among the primary duties of the state to raise the level of nutrition and the standard of living of its people and the improve public
health. The state will make all possible efforts to reform the backward conditions of the women. Like men, they would be afforded equal opportunities for employment and salary. They would get special facilities during maternity period. Article 39 provides that the state will protect the childhood and youth against exploitation.

**DIRECTIVE PRINCIPLES CONCERNING ECONOMIC DEVELOPMENT:**

In accordance with the provisions of the Indian Constitution, all men and women are entitled to get adequate means of livelihood. The state shall endeavour to ensure that each citizen gets employment, according to his or her ability. The state will also help such people who are incapable of earning their livelihood due to old-age. The state shall direct its policy such that there is equal pay for equal work for both men and women. In order to remove the economic disparity, the Constitution has provided that the state shall direct its policy towards securing equal distribution of property so as to ensure the establishment of true democracy in the country. The state shall endeavour to ensure that the means of production or property may not be centralised at one place and that there may be equal distribution of wealth and means of production. The state shall endeavour to ensure that the workers employed in agriculture and other industries may earn adequate wages to enable them to subsist with ease, may improve their standard of living and may get full employment of leisure and social and cultural opportunities. The state will endeavour to make such laws as will secure just and human conditions to work. The state will also ensure that the women may get maternity relief. The state shall endeavour to organise agriculture and animal husbandry on modern and scientific lines and shall take steps for
preserving and improving the breeds and prohibiting the slaughter of Cows and other milk cattle.

DIRECTIVE PRINCIPLES CONCERNING ADMINISTRATIVE REFORMS:

Article 44 provides that the state shall endeavour to secure for the citizens a uniform civil code throughout the territory of India. The state shall take steps to organise village Panchayats and endow them with such powers and authorities may be necessary to enable them to function as units of self government. Article 50 lays down that the state shall take steps to separate the judiciary from executive in public services of the state.

DIRECTIVE PRINCIPLES CONCERNING CULTURAL DEVELOPMENT:

Article 45 lays down that the state shall endeavour to provide within a period of ten years from the commencement of this Constitution, for free and compulsory education for all children until they complete the age of 14 years. Article 46 provides 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 Caste and Scheduled Tribes and shall protect them from social injustice and all forms of exploitation. Article 49 provides that it shall be the obligation of the state to protect every monument or place or object of artistic or historic interest, declared to be of national importance, from destruction, removal disposal or export. The state endeavour to provide full facilities to each citizen for his or her cultural development.
DIRECTIVE PRINCIPLES CONCERNING INTERNATIONAL PEACE AND SECURITY:

Article 51 provides that the state shall endeavour to promote international peace and security, maintain just and honourable relations between nations, foster respect for international law and treaty obligations in the dealing of organised people with one another, encourage settlement of international disputes by arbitration.

The question posed by Ivor Jannings with regard to the Directive Principles was whether it was "worthwhile to insert in a Constitution a collection of political principles which obviously derive from English experience in the 19th Century ......... In short, this part of the Constitution is the product of time and circumstances. Time moves on the circumstances change rapidly". The framers of the Constitution could not have been unaware of the changes that were taking place around them and the changes that were likely to take place in future. The programme envisaged in Part IV was for immediate implementation. The objectives intended to be achieved are those that were necessary to meet the immediate needs of the people. It became necessary for the constituent Assembly to prescribe certain goals to be immediately reached because of the backwardness in which the country was during the foreign rule. The programme envisaged in Part IV does not in any manner, obstruct or impede the future development of this nation. The Constitution makers planned for a social order in which justice, social, economic and political shall inform all the institutions of national life. Representative Democracies will have no meaning without economic and social justice to the common man.
But, as the Directive Principles cannot be enforced by the Courts, the question arises, as to what is the sanction behind them. Article 355 provides that it shall be the duty of the union to ensure that the government of every state is carried on in accordance with the provisions of this Constitution. Part IV dealing with Directive Principles is a part of the Indian Constitution. The result is that it becomes the duty of the union of India to see that every state takes steps for implementing the Directive Principles as far as possible.

D) SANCTION OF DIRECTIVE PRINCIPLES:

The fathers of the Indian Constitution had a noble idea of giving maximum rights to the people of their soil but due to the country's social, economic, political and other conditions, it was not possible to them to bestow everything on the people in the form of rights. Accordingly, whatever they considered possible or feasible they gave the people in the form of Fundamental Rights and the rest they incorporated in the form of Directive Principles with the desire that with the passage of time, these might become rights. These Principles are the amalgamation of Gandhian Philosophy and socialist ideas of Karl Marx, the greatest German Political Philosopher. Since the Directive Principles have not been enumerated in the Constitution in accordance with a logical plan, it is rather difficult to classify them. Dr. M.P. Sharma in his book "The Republic of India" groups these principles under three heads - Socialistics, Gandhian and Liberal Intellectualistic. We may however make an addition of another group 'General' which is not covered under three classes mentioned by Dr. M.P. Sharma.
Article 36 to 51 in Part IV of the Constitution deal with Directive Principles. The first two Articles (36 and 37) of the chapter on Directive Principles are general in character and deal with definition, legal effects and objectives. Article 38 lays down that 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 national life. Article 39 as amended by Forty-second Amendment in 1976, provides that the state shall, in particular, direct its policy towards securing (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 the 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 condition of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment. Article 39-A was added by the Forty-second Amendment of the Constitution in 1976. It provides that the state shall secure that the operation of the legal system promotes justice on the basis of equal opportunity and shall in particular, provide free legal aid, by suitable legislation. In order that the fruits of political freedom might reach the grass-root level, Article 40 lays down that the state shall
take steps to organise village Panchayats and endow them with such powers and authorities as may be necessary to enable them to function as units of self-Govt. Article 41 provides that the state shall within the limits of its economic capacity and development make effective provisions for securing the right to work, to education and to public assistance in cases of unemployment, old-age, sickness and disablement. Article 42 lays down that the state shall make provisions for securing just and human conditions of work and for maternity relief. Article 43 provides that the state shall endeavour to secure by suitable legislation or economic organisation or in any other way, to all workers, agricultural, industrial or otherwise, work, a living wage, conditions to work ensuring a decent standard of life and full enjoyment of leisure and social and economic opportunities and in particular the state shall endeavour to promote cottage industries on individual or co-operative basis in rural areas. Article 43-A was added by the Forty-second Amendment in 1976. It lays down that the state shall take steps, by suitable legislation or in any other way, to ensure the participation of workers in the management of undertakings, establishments or other organisations engaged in any industry. Article 44 provides that the state shall endeavour to secure for the citizens a uniform civil code throughout the territory of India. Article 45 provides free and compulsory education for all children until they complete the age of 14 years. In order to uplift the down trodden and weaker sections of the community, Article 46 provides 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 caste and scheduled tribe and shall protect them from social injustice and all forms of exploitation. Article 47 lays down that the state
shall regard the raising of the level of nutrition and standard of living of its people and the improvement of public health as among its primary duties and in particular the state shall endeavour to bring about the prohibition of the consumption, except for medical purposes, of intoxicating drinks and drugs which are injurious to health. In order to preserve the cultural heritage of the country, the founding fathers of the Indian Republic directed the state in Article 49 that it is the obligation to protect every monument or place or object of artistic or historic interest, declared or under law made by Parliament to be of national importance from disfigurement, destruction, removal, disposal or export as the case may be. Article 50 lays down that the state shall take steps to separate judiciary from the executive in the public services of the state. Realising that the attainment of these objectives would not be possible if there were no peace and stability in the outside world. The architects of a new India directed the state under Article 51 to promote international peace and security, maintain just and honourable relations between nations, foster respect for international law and treaty obligations in the dealing of organised peoples with one another and encourage settlement of international disputes by arbitration.

The Directive Principles are nothing but restatement of the ideas stated in the preamble. They are intended to serve as instructions to governments of states and the centre to act in a way so as to promote fraternity and equality and to guarantee justice and liberty of the people.
E) RELATION BETWEEN FUNDAMENTAL RIGHTS AND DIRECTIVE PRINCIPLES OF STATE POLICY:

Our Constitution makers desired to incorporate Directive Principles in the forms of rights, but due to prevailing conditions they could not fulfill their desire. Therefore distinction between two had to be maintained and Directive Principles differ from Fundamental Rights in many ways. While fundamental rights constitute limitations upon state action, the Directive Principles are in the nature of Instruments of Instructions to the government of the day to do certain things and to achieve certain ends by their action. The Directive principles are not enforceable in the Courts and do not create any justiciable rights in favour of the individuals. The court are not competent to compel the government to carry out any Directive Principles for example to provide for free compulsory education within the time prescribed by Article 45 or undertake legislation to implement any of the other Directive Principles. The declaration made in Part IV of the Constitution are in many cases of a wider important than the declaration made in Part III of the Constitution. Fundamental Rights are enforceable by the Courts under Articles 32 and 226 of the Constitution and the courts are bound to declare as void any law that is inconsistent with any of the fundamental rights. Article 37 specially provided that Directive Principles cannot be enforced by the Courts.

In State of Madras Vs Champakam Dorairajan, it was contended on behalf of the state of Madras that Article 46 charged the state with promoting the educational and economic interests of the weaker section of the people and protect them from social injustice and all forms of exploitation. It was also contended that the provisions of Article 46 over-ride the provisions of Article 29
(2) of the Constitution. The contention was rejected by the Supreme Court which held that the Directive Principles have to conform to and run as subsidiary to the chapter on fundamental rights. In M.H. Quershi Vs State of Bihar Chief Justice S.R. Das observed that the Directive Principles cannot over-ride fundamental rights guaranteed by the Constitution. The state should implement the Directive Principles; that it should do so in a way that the laws do not take away or abridge Fundamental rights (A.I.R. 1958. SC. 731).

When this was the position in law, Article 31-C was added to the Constitution by the Twenty-fifth Amendment of the Constitution in 1971. Article 31-C provided that not with standing anything contained in Article 13 no law giving effect to the policy of the state towards securing the Principles specified in clause (b) or clause (c) of Article 39 shall be deemed to be void on the ground that it is inconsistent with or takes away or abridges any of the fundamental rights guaranteed by Article 14 Article 19 or Article 31.

The government did not accept the verdict of the Supreme Court and Article 31-C was further amended by Forty-second Amendment in 1976. The amended article, Article 31-C provided that no law giving effect to the policy of the state towards securing all or any of the principles laid down in Part IV of the Constitution shall be deemed to be void on the ground that it is inconsistent with or takes away or abridges any of the rights conferred by Article 14, Article 19 or Article 31. When the Janatha Party came to power in 1977, it introduced a bill with the object of deleting Article 31-C from the Constitution but it failed to carry out the amendment as it did not possess the requisite majority in Rajya Sabha.
The Supreme Court held that the Indian Constitution is founded on the bedrock of the balance between Part III and Part IV. To give absolute primacy to one over the other is to disturb the harmony of the Constitution. The harmony and balance between Fundamental Rights and Directive Principles is an essential feature of the basic structure of the Constitution. Fundamental rights can not be destroyed to achieve the goal of Part IV (A.I.R. 1980 S.C. 1789).

Fundamental Rights are primarily aimed at assuring political freedom to citizens by protecting them against excessive state action while Directive Principles are aimed at securing social and economic freedoms by appropriate state action. It is in that sense that the Constitution says that Directive Principles shall not be enforceable by courts. It does not mean that Directive Principles are less important than Fundamental Rights or that they are not binding on the various organs of the state. It is the duty of the courts to apply Directive Principles while interpreting the Constitution and the laws. (A.I.R. 1981, S.C. : 298). The view of Justice H.R. Khanna is that Part III and IV are complementary to each other. There is no question of a confrontation between the two. Both Fundamental Rights and Directive Principles constitute the essential features of the constitution and thus are binding on all organs of the state. In the words of Justice Deshpande "The constitution is therefore, not only a legal but also a social and political document. Its legal aspect, namely, the Fundamental Rights is enforceable by the individual by Writ Petitions and otherwise in the courts. Its social aspect can, however, be amended by legislation to carry out the objective of the Directive Principles of State Policy. It is the duty and responsibility of the Courts and the lawyers to give reality to both of these parts of the Constitution."
The sole aim of the Directive Principles specified in Part IV of the Constitution is to achieve the socio-economic, justice and real equality in the country by peaceful revolution. Therefore Articles 38, 39 to 51 constitute "a comprehensive socio-economic, political manifesto of a modern democratic state". Therefore Part III and IV together reflect the philosophy of our Constitution. It is important and positively essential to keep in mind that non-legal, non-justiciable Directive Principles were accorded a very high and honourable position in the scheme of the Indian Constitution by its framers. In the task of realising a social welfare state through the process of social legislation and economic development, the Directive Principles were to play a major and effective role as was assigned to the legally enforceable Fundamental Rights. The emphasis in the scheme of Part III and IV of the Constitution is on attainment of socio-economic, justice. The decisions of the Supreme Court have established that in the event of a direct conflict between individual rights and social needs the social good was preferable only if the individual rights were not infringed. The Directive Principles have to conform to and run subsidiary to the chapter of Fundamental Rights. Hedge in his lectures on the Directive Principles observed that the constitution contains certain important mandates which may not be enforceable by court of law. That does not mean that those articles must be rendered subsidiary to the chapter on Fundamental Rights. It is wrong to say that the mandates contained in the Directive Principles are of lesser significance than the mandates under Part III. Justice Krishna Iyer said "Part III and IV of the Constitution should not be read separately. Directive Principles have a certain
purpose, that is to make the suppressed man liberated. Part IV supplied the canvas on which to draw the picture of rights specified in Part III.

It is said that the Fundamental rights stand in the way of the Directive Principles. But we can say that only through the freedom of the individual citizens, we can fulfil the Directive Principles in the true nature and spirit. It is further argued that why the Directive Principles in the Constitution have not been made justiciable like Fundamental rights. This was deliberately and wisely done because it is not possible to fulfil the Directive Principles in their entirety in any specified time. It requires money. They would be fulfilled in progressive stages with the advancement of the socio-economic conditions in the country. Now the changed position is that both parts of the Constitution can well be implemented without sacrificing one for another. The Rights and the Principles written in Part III and Part IV of the Constitution must be mutually adjusted and implemented and one must not be considered superior to the other. To ensure the liberty and the dignity of the individual and to bring about a cohesive socio-economic development of the society as a whole, a balance has to be struck between both parts of the Constitution. Unless this is done none of the objectives set out with sonorous words in the preamble of the Constitution can not be achieved.

CONCLUSION:

The chapter on Directive Principles is a novel feature of our Constitution. These principles which are incorporated in Chapter IV from Article 36 to 51, may broadly be classified into welfare Principles, Gandhian Principles and International Principles. Directive Principles, borrowed from the Constitution of Ireland, are
originally principles of Roman Catholic Church. A separate chapter is prescribed for these principles with a basic aim of reconstructing a new society through peaceful social revolution. The Directive Principles are the instructions of the Constitution to the Union and State governments to implement to the maximum possible extent. If the government neglect these principles, it is highly impossible to face the next General elections and the people will question the contesting candidates about the proper execution of these principles during their political regime. If the contesting Candidates are unable to answer properly, the people may vote against the ruling party and welcome and elect another party for political power. Hence however critical may be the financial condition of the government, these principles are implemented to the extent possible for the betterment and welfare of the people. Though Direct Principles are not enforceable in the Court of law, these are regarded as the essence of the constitution and germs of socialistic government. These principles are the result of the amalgamation of noble aspirations of Mahatma Gandhi and the Socialistic ideas of Karl Marx, the greatest German political Philosopher. The founding father of our Constitution wisely and deliberately removed the legal binding on these principles by anticipating the fact that it may not be possible for future governments to implement these principles in letter and spirit due to non-availability of financial resources. The Fundamental Rights and Directive Principles together constitute the solid foundation stone of our sovereign, democratic, secular, socialistic, republic and here our constitution makers showed their wisdom. We should not differentiate Part III and IV of the Constitution because they must be mutually adjusted and implemented to ensure liberty, equality and diginity of the
individual and cohesive socio-economic development of the country. Part III and IV are complementary and supplementary to each other and there is no question of confrontation between the two. The founding-fathers of our Constitution incorporated all possible or feasible things in the Chapter III which deals with Fundamental Rights and the rest they incorporated in Chapter IV which deals with Directive Principles with a desire that with the passage of time these Directive Principles might become rights. Though Directive Principles were accorded a very high and honourable position in the scheme of the Indian Constitution by its framers, these principles are vehemently criticised as pious expressions, noble aspirations, economic maxims, moral precepts which ultimately degenerate into sublime nonsense. But unless these principles are implemented the sonorous words that are set out in the preamble of the Constitution can not be achieved.
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