

DPSP

A comprehensive guide to understanding the common misconceptions and correct interpretations of **Directive Principles of State Policy** in the **Indian Constitution**.

Nature & Scope

Trap 1

- ✗ **DPSPs** are optional for the **State**.
- ✓ **Art. 37: Not enforceable in court** but **fundamental in governance**; **State** obliged.

Trap 2

- ✗ **DPSPs** belong to only one ideology.
- ✓ They are **Socialist** + **Gandhian** + **Liberal-Intellectual principles**.

Trap 3

- ✗ **DPSPs** were borrowed only from **Ireland**.
- ✓ Majorly from **Ireland**, but also influenced by **Weimar Constitution, Spain, US**.

Trap 4

- ✗ **DPSPs** never change.
- ✓ Expanded via **Amendments (42nd, 44th, 86th, 97th)**.

Trap 5

- ✗ **DPSPs** bind only **Parliament**.
- ✓ They guide both **Centre** and **States**.

Trap 6

- ✗ **DPSPs** override **Fundamental Rights**.
- ✓ **FRs** prevail; harmony between **FRs** & **DPSPs** is the rule (**Kesavananda, Minerva Mills**).

Trap 7

- ✗ **DPSPs** and **FRs** have no relation.
- ✓ Together they form the "**Conscience of the Constitution**" (**Granville Austin**).

Trap 8

- ✗ **DPSPs** cannot lead to **enforceable rights**.
- ✓ Many **FRs** evolved from **DPSPs (RTE, Free Legal Aid)**.

Trap 9

- ✗ **DPSPs** restrict **liberty**.
- ✓ They ensure **social & economic justice**, which strengthens **liberty**.

Trap 10

- ✗ **Courts** cannot use **DPSPs**.
- ✓ **Courts** interpret laws in light of **DPSPs**.

Socialist Principles

Trap 11

✗ **Art. 38** demands **absolute equality**.

✓ It directs **reduction of inequalities in status and opportunities**.

Trap 12

✗ **Art. 39(b)(c)** covers only **property**.

✓ It ensures **fair distribution of material resources** & **prevents wealth concentration**.

Trap 13

✗ **Art. 39A** is for **rich litigants**.

✓ It mandates **free legal aid** & **equal justice for the poor**.

Trap 14

✗ **Art. 41** guarantees **jobs to all**.

✓ **Right to work** depends on **State's resources & capacity**.

Trap 15

✗ **Art. 42** = only **maternity leave**.

✓ It ensures **just work conditions** + **maternity relief**.

Trap 16

✗ **Art. 43** = **rural workers only**.

✓ It ensures **living wage for all workers** + **promotes cottage industries**.

Trap 17

✗ **Art. 43A** = only about **unions**.

✓ It mandates **worker participation in industry management**.

Trap 18

✗ **Art. 44** is **irrelevant**.

✓ It seeks **Uniform Civil Code** for **national unity**.

Trap 19

✗ **Art. 47** = only **alcohol prohibition**.

✓ It covers **nutrition, public health, drug prohibition**.

Trap 20

✗ **Art. 48A** = only **forests**.

✓ It covers **environment, forests & wildlife protection**.

Gandhian & Liberal-Intellectual Principles

Trap 21

✗ **Art. 40** made **Panchayats** optional.

✓ Made mandatory via **73rd Amendment**.

Trap 22

✗ **Art. 43** = only wages.

✓ Also promotes **cottage industries**.

Trap 23

✗ **Art. 46** = only **SCs**.

✓ Covers **SCs, STs & weaker sections**.

Trap 24

✗ **Gandhian DPSPs** are outdated.

✓ Still relevant: **Gram Swaraj, cooperatives, village industries**.

Trap 25

✗ **Art. 48** = animal care only.

✓ Directs prohibition of **cow & cattle slaughter**.

Trap 26

✗ **Art. 44 (UCC)** has no **judicial role**.

✓ **Courts** often urge its implementation (**Shah Bano, Sarla Mudgal**).

Trap 27

✗ **Art. 45** always gave free education.

✓ Originally for 6–14 yrs; post-**86th Amendment** → **early childhood care** (0–6 yrs).

Trap 28

✗ **Art. 50** separates all powers.

✓ Only separation of **judiciary** from **executive** in **lower courts**.

Trap 29

✗ **Liberal DPSPs** are foreign imports.

✓ They ensure **modern constitutional ethos** (**education, environment, peace**).

Trap 30

✗ Only **Gandhian principles** are significant.

✓ **Courts** also stress **liberal ones** (**environment, UCC**).

Amendments & Judicial Role

“

Trap 31

✗ 42nd Amendment did not add DPSPs.

✓ Added 39A, 43A, 48A.

”

“

Trap 32

✗ 44th weakened DPSPs.

✓ It strengthened 39(b)(c).

”

“

Trap 33

✗ 86th only added Art. 21A.

✓ Also changed 45 & added 51A(k) duty.

”

“

Trap 34

✗ 97th only amended Part IXB.

✓ Inserted 43B (cooperatives) into DPSPs.

”

“

Trap 35

✗ DPSPs froze in 1950.

✓ They evolve with new amendments.

”

“

Trap 36

✗ SC ignored DPSPs.

✓ SC evolved many rights from them (RTE, Environment).

”

“

Trap 37

✗ DPSPs = legally useless.

✓ SC calls them fundamental in governance (Minerva Mills).

”

“

Trap 38

✗ Kesavananda rejected DPSPs.

✓ It gave them importance but under Basic Structure harmony.

”

“

Trap 39

✗ Reservations unrelated to DPSPs.

✓ Art. 46 supported SC/ST welfare (N.M. Thomas).

”

“

Trap 40

✗ Courts can never push DPSPs.

✓ They issue guidelines & mandamus indirectly.

”

Implementation & Special Traps

Trap 41

✗ **DPSPs** have no **political role**.

✓ Used in **policy-making** & **manifestos**.

Trap 42

✗ **DPSPs** = **domestic policy** only.

✓ **Art. 51** promotes **international peace, treaties**.

Trap 43

✗ **DPSPs** are **enforceable in courts**.

✓ They are **politically enforceable**, not **legally**.

Trap 44

✗ **DPSPs** are **outdated**.

✓ **Modern DPSPs** (**environment, co-ops, education**) = highly relevant.

Trap 45

✗ **DPSPs** and **Duties** are unconnected.

✓ **Part IVA (Fundamental Duties)** was added to complement **DPSPs**.

Trap 46

✗ **DPSPs** = only **social justice**.

✓ They also guide **foreign policy** (**Art. 51**).

Trap 47

✗ **Parliament** can **legally ignore DPSPs**.

✓ **True in courts**, but **political accountability** makes them **binding in practice**.

Trap 48

✗ **DPSPs** apply **unconditionally**.

✓ Many (like **Art. 41**) depend on **State's resources**.

Trap 49

✗ **DPSPs** influence only **laws**.

✓ They shape **laws, executive policies, judicial rulings, amendments**.

Trap 50

✗ **DPSPs** completely failed.

✓ Many realised: **Panchayats, RTE, legal aid, environment, co-operatives**.