

1. THE UTILITY OF DPSPS LIES IN THE FACT THAT THEY ENJOIN THE STATE TO MAKE INDIA A WELFARE STATE. DISCUSS THE VARIOUS STEPS TAKEN BY GOVERNMENT TO IMPLEMENT THESE PRINCIPLES.

The rudimentary existence of the Directive Principles of State Policy lies in the paradigm that responsibility of social and economic development rests upon the government. Enshrined in Part IV (Articles 36-51) of the Constitution of India, DPSPs serve as guiding principles for public policy and purport to pave the way for building a welfare state. The DPSPs constitute a very comprehensive economic, social and political programme for a modern democratic welfare state. They aim at realising the high ideals of justice, liberty, equality and fraternity as outlined in the Preamble to the Constitution of India.

The provisions in this Part include promotion of welfare of citizens, provision of free legal aid to the economically disabled, organizing village panchayats, developing a Uniform Civil Code, raising nutrition levels, etc. Though not enforceable by the courts, they are defined to be fundamental in the governance of the country and it shall be the duty of the state to apply these principles in making laws (Article 37).

The erstwhile Planning Commission and the present NITI Aayog has been constituted to take up the development of the country in a planned manner (Article 38) and to reduce inequalities of income by adopting long term planning.

National programmes like National Rural Employment Guarantee Act, Food for Work, Skill India and Make In India, MUDRA intend to provide adequate livelihood and employment opportunities to all citizens of the country. The Minimum Wage Act (1948), the Contract Labour Regulation and Abolition Act (1970), the Factories Act (1948), the Child and Adolescent Labour Prohibition and Regulation Act (amended in 2016) fulfils the principles enshrined in Article 39.

Old age pension scheme and Atal Pension Scheme, Widow Pension scheme and Sugamya Bharat Abhiyan, Pradhanmantri Swasthya Suraksha Bima Yojana and PM Jivan Suraksha Bima Yojana all intend to provide public assistance found in Article 41.

The Maternity Benefit Act (1961) and the Equal Remuneration Act (1976), Janani Suraksha Yojana, NSFA (2013) mandates cash entitlement of Rs. 6000 to every pregnant woman all intend to give meaning to Article 43.

Various measures have been taken to utilise the financial resources for promoting the common good. Nationalisation of life insurance in 1956, of banks in 1969 and 1980, abolition of Privy Purses in 1971 and so on.

Crop insurance scheme, fixing MSP by government for major crops, Pradhan Mantri Krishi Sinchai Yojana, Green Revolution and ban on cow slaughter etc. have been implemented to give meaning to Article 48

The Wildlife (Protection) Act, 1972, the Forest Conservation Act (1980) and various Water and Air Acts have been enacted to provide meaning to Article 48 (A).

To provide reality to organisation of village panchayats 73rd Amendment Act has been enacted confer constitutional status to village panchayats and realise vision of Gandhiji of village being a republic.

Establishment of National Commission for SCs and STs, the Untouchability (Offences) Act, 1955 which renamed as Protection of Civil Rights in 1976, the SC and STs (Prevention of Atrocities) Act, 1989 etc have been enacted to give meaning to the Principle enshrined in Article 46.

The Criminal Procedure Code (1973) separated the judiciary from the executive in the public services of the state.

The Ancient and Historical Monuments and Archaeological Sites and Remains Act 1951 has been in vogue to give meaning to Article 49.

SC in Shamim Ara case declared Arbitrary triple talaq to be illegal Article 44

India remains non-aligned during cold war; India has shown high regards for international treaties and organisations like Indus Water Treaty and the UNO to promote international peace and security provided under Article 51.

Despite above measures taken by Central and State government the DPSPs have not been implemented fully and effectively due to several constraints like inadequate financial resources, unfavourable socio-economic conditions, population explosion and constrained centre-state relations.



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