

1. "THE DPSPS ARE SEEN AS AIDS TO INTERPRET THE CONSTITUTION, AND MORE SPECIFICALLY TO PROVIDE THE BASIS, SCOPE AND EXTENT OF THE CONTENT OF A FUNDAMENTAL RIGHT." WHAT ROLE HAS BEEN PLAYED BY THE DIRECTIVE PRINCIPLES OF STATE POLICY TOWARDS INTERPRETATION OF THE CONSTITUTION? EXPLAIN AND ILLUSTRATE YOUR ANSWER.

In the famous Fundamental Rights case (Keshavananda Bharati vs State of Kerala) in 1973 the majority of Supreme Court of India reflected the view that what is fundamental in the governance of the country cannot be less significant than what is significant in the life of an individual. It was well-acknowledged that in order to build up a just social order it is imperative that the fundamental rights should be subordinated to DPSPs. The courts in India have widely used DPSP to interpret the Constitution of India, especially while dealing with Part III. The courts have used the Principles to uphold the constitutional validity of statutes that seems to impose restrictions on the fundamental rights like Article 14, Article 21, and Article 19. In order to ensure right to life to all citizens of India under Article 21, it is necessary to allow every citizen with human dignity and accessible justice (Article 39A). The directive principles that the state shall strive to secure its citizens right to an adequate means of livelihood and make effective provision for securing rights to work under Article 41 provided a basis for the Supreme Court in Olga Tellis (1985) to locate right to livelihood in right to life under article 21. Likewise in umpteen judicial cases, the DPSPs have provided reckoned aids for the interpretation of the constitution and efficacies of the Part III.



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