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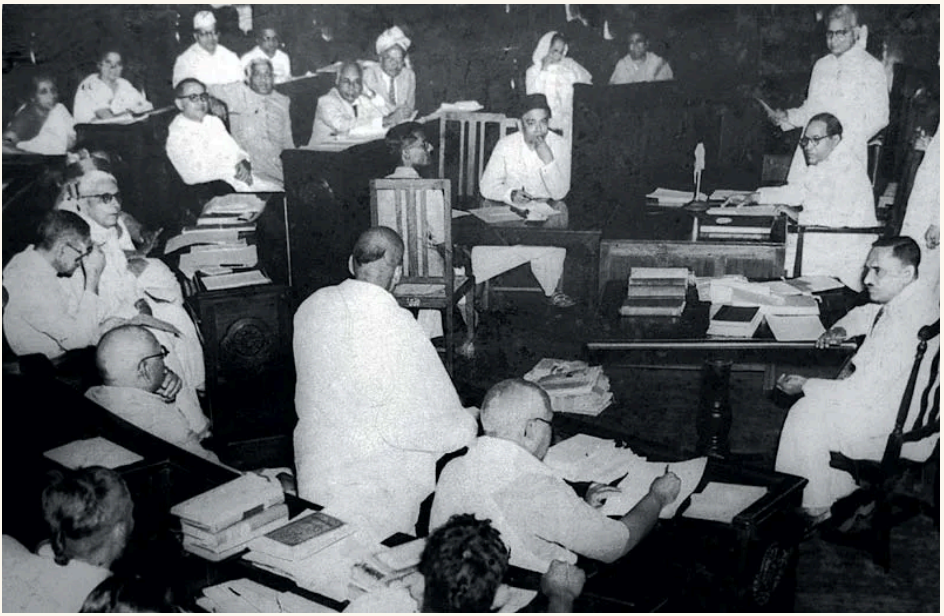
Directive Principles of State Policy (DPSP): A Complete Guide

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Directive Principles of State Policy (DPSP): A Complete Guide

No court can force the State to follow these. And yet they have shaped land reform, free legal aid, and even a state's marriage law.

Meet the Directive Principles of State Policy. This lesson shows what they are, why courts cannot enforce them, and how they once clashed with Fundamental Rights.



The Constituent Assembly in session, 1950, the body that debated and adopted the Directive Principles as Part IV of the Constitution. B.R. Ambedkar seated top-right. Wikimedia Commons, public domain.

Directive Principles, at a glance

- **Where:** Part IV, Articles 36 to 51. The idea is borrowed from Ireland's 1937 Constitution.
- **Not enforceable:** Article 37 blocks direct enforcement. A law made to fulfil a principle is fully enforceable.
- **Once clashed with Rights:** A 1951 case put Directive Principles against Fundamental Rights. Rights won, until Parliament amended the Constitution.
- **Still shaping law:** Article 44's uniform civil code goal has produced real state laws in Uttarakhand, Gujarat and Assam.

Non-justiciable: courts cannot enforce it directly.

Basic structure: core features that Parliament cannot amend away.

Uniform civil code: one common law on marriage, divorce and inheritance.

Judicial review: a court checks if a law fits the Constitution.

What Are Directive Principles, Really?

Where do Directive Principles sit, and what are they?

Directive Principles are goals for the State, not claims a citizen can take to court. They sit in **Part IV, Articles 36 to 51**.

Article 36 gives "the State" the same meaning as in Part III. So the same government bodies are bound by both Parts.

Think of them as instructions, not promises. India borrowed the whole idea from Ireland's 1937 Constitution.

Sources: indiankanoon.org

What does Article 38 ask of the State?

Article 38 asks the State to promote the welfare of the people. It wants fair treatment in social, economic and political life.

Clause (2), added later, asks the State to **minimise inequalities in income**. It also asks the State to end inequalities in status, facilities and opportunities.

This is a direction to aim at, not a guarantee already delivered.

Sources: indiankanoon.org

What Does Article 37 Really Mean?

Can a court enforce a Directive Principle?

Article 37 says Part IV is **not enforceable by any court**. Yet it calls the principles “fundamental in the governance of the country”.

It also makes it the duty of the State to apply them in making laws.

So you cannot win a case only because a policy goal is unmet. But the State must keep these goals in mind when it legislates.

Sources: indiankanoon.org

What changes once a law is passed?

Once a law is passed to carry out a principle, that law is fully enforceable, like any other law.

Article 42 asks for humane working conditions and maternity relief. A labour law built to deliver that can create a real, enforceable legal right.

Keep the contrast sharp. Part III gives a direct claim in court. Part IV guides what the State should legislate toward.

Sources: indiankanoon.org

> **Quick check 1.** A person can directly enforce Article 42 in court, even with no implementing law in place. *(True or False?)* See answer ↓

Remember: Non-justiciable does not mean meaningless. The principle is not enforceable, but the law that carries it out is.

What Did the 42nd Amendment Add?

Which three principles came in 1976?

The 42nd Amendment (1976) added three new Directive Principles:

- **Article 39A:** equal justice and free legal aid
- **Article 43A:** workers' participation in the management of industry
- **Article 48A:** protecting the environment, forests and wildlife

In 2011, Article 43B was added to support cooperative societies.

Sources: indiankanoon.org

Was equal pay for equal work new in 1976?

No. Equal pay for equal work was already in **Article 39(d)**, right from the original 1950 text.

This is a common exam trap. Do not assume every well-known principle came with the 42nd Amendment.

Sources: indiankanoon.org

> **Quick check 2.** Equal pay for equal work was first added to the Constitution by the 42nd Amendment. *(True or False?)* See answer ↓

How Can the Goals Be Grouped by Theme?

What are the main themes of Part IV?

Part IV covers many kinds of goals. Grouping them by theme makes the article numbers easier to hold.

- **Fair economy (38, 39):** welfare, jobs, fair sharing of resources, and no wealth in too few hands.
- **Legal and local access (39A, 40):** free legal aid, and village panchayats.
- **Work and care (41 to 43A):** help for the needy, fair work conditions, maternity leave, a living wage, and a say for workers.
- **Community and childhood (43B to 47):** cooperative societies, a uniform civil code, early childhood care, and public health.

- **Heritage and nature (48, 49):** modern agriculture, environmental protection, and safeguarding monuments.
- **Institutions and peace (50, 51):** keeping courts apart from the government, and world peace.

Sources: indiankanoon.org

Which articles carry the details exams ask about?

- **Article 39(c)** targets the concentration of wealth and means of production to the common detriment. It does not turn every income gap into a rights violation.
- **Article 40** asks the State to organise village panchayats as units of self-government.
- **Article 41** speaks of the right to work, to education and to public assistance, within the limits of the State's economic capacity.
- **Article 47** makes raising nutrition and public health a primary duty. It also mentions prohibition of intoxicating drinks.
- **Article 50** asks the State to separate the judiciary from the executive in the public services. It is a written directive, not just a convention.
- **Article 51** asks the State to promote international peace and respect for international law.

Sources: indiankanoon.org

> **Quick check 3.** Keeping courts separate from the government is a Directive Principle in Part IV. *(True or False?)* See answer ↓

How Do Directive Principles Differ From Fundamental Rights?

Point	Fundamental Rights (Part III)	Directive Principles (Part IV)
Court enforcement	Directly enforceable	Not enforceable (Article 37)
Nature	Claims of the citizen against the State	Goals and instructions for the State
Who is bound	“The State” as in Article 12	The same “State” (Article 36)
Role	Protect the individual	Build a fair social and economic order

Both Parts bind the same State. The difference is who can ask a court for help.

In the News: Article 44 and the Assam UCC Bill

What does Article 44 say?

Article 44 asks the State to “endeavour to secure” a **uniform civil code** for all citizens. That means one law on marriage, divorce and inheritance for everyone.

It states a goal. It does not itself replace any existing law.

Sources: indiankanoon.org

Is this goal only theory?

No. On 27 May 2026, the Assam Legislative Assembly passed the Uniform Civil Code Bill, 2026. Assam became the third state to adopt such a law, after Uttarakhand and Gujarat.

The bill sets the marriage age at 21 for men and 18 for women. Having two spouses can mean up to seven years in jail. Live-in couples must register within a month.

This is a Directive Principle driving real legislation, decades after it was written. For the deeper story, see the lesson on the Uttarakhand model.

Sources: indiankanoon.org

Why Did Rights and Principles Once Clash?

What happened in Champakam Dorairajan?

A Directive Principle cannot beat a Fundamental Right. The first big test was about college seats.

In **State of Madras v. Champakam Dorairajan (1951)**, the Supreme Court struck down a government order that reserved college seats by community. Part IV's goals could not defeat an enforceable Part III right.

Sources: indiankanoon.org

How did Parliament respond?

Parliament passed the First Amendment. It added **Article 15(4)**. This lets the State make special rules for backward classes, Scheduled Castes and Scheduled Tribes.

The lesson is simple. Parliament fixed the clash by amending the Constitution. Principles are not powerless. Rights come first, unless the Constitution itself is changed.

Sources: indiankanoon.org

> **Think it through:** if Champakam Dorairajan said Rights beat Principles, why did that not settle the question for good?
> **Show the answer**
>
> Parliament can change the Constitution itself.
>
> The 1951 ruling only said a government order cannot beat a Fundamental Right. So Parliament changed the Constitution and added Article 15(4).

How Did Article 31C Shift the Balance?

What does Article 31C protect?

The 25th Amendment introduced **Article 31C**. It gave some protection to laws that truly serve Article 39(b) or 39(c). These cover sharing resources fairly and stopping wealth from piling up.

Such a law is shielded from challenges under Articles 14 and 19. But courts can still check whether the law genuinely advances those goals.

Sources: indiankanoon.org

What did Kesavananda and Minerva Mills decide?

Kesavananda Bharati (1973) accepted this limited protection. It struck down a clause that tried to block courts from reviewing the law's real purpose.

The 42nd Amendment then tried to give the shield to every Directive Principle. Minerva Mills (1980) cancelled that.

The Supreme Court treats the balance between Parts III and IV as part of the basic structure. Even a constitutional amendment cannot touch it.

Sources: indiankanoon.org

Quick check 4. Article 31C does not let every Directive Principle beat Articles 14 and 19. *(True or False?)* See answer ↓

Think it through: if Minerva Mills struck down the wider shield, why not Article 31C entirely?

Show the answer

Kesavananda Bharati had already accepted the narrow Article 31C. Courts could still review it.

The 42nd Amendment went too far by widening it to all Directive Principles. Minerva Mills kept the rule that courts can check the real aim of a law.

How Do Exams Test This?

UPSC has asked about this too. In 2015, two statements on aims and enforcement were both true. In 2020, the point was that Article 50 is in Part IV. In 2017, it was Article 43A, and equal pay was already in Article 39(d).

General rule: read the specific claim before recalling an article number. In two-statement questions, sometimes both statements really are true.

Must Know

- Directive Principles sit in **Part IV, Articles 36 to 51**. India copied the idea from Ireland.
- **Article 37** bars direct enforcement. A law that carries out a principle is enforceable.

- Equal pay for equal work is **Article 39(d)**, not a 1976 addition.

Good to Know

- The 42nd Amendment added **39A, 43A and 48A**. The 97th added **43B**.
- **Champakam Dorairajan (1951)** led to Article 15(4).
- Scientific temper is a **Fundamental Duty**, not a Directive Principle.

Great to Know

- **Article 31C** protects only laws under 39(b) and 39(c) after Minerva Mills.
- Assam became the third state with a UCC law on 27 May 2026.

Practice MCQs

1. Directive Principles of State Policy are contained in which Part of the Constitution?

A. Part III

B. Part V

C. Part IV

D. Part IVA

See answer ↓

2. Which Article states that Directive Principles are not enforceable by any court?

A. Article 37

B. Article 36

C. Article 51

D. Article 38

See answer ↓

3. Which of the following was NOT added to Part IV by the 42nd Amendment, 1976?

A. Workers' participation in management

B. Free legal aid

C. Protection of the environment, forests and wildlife

D. Equal pay for equal work

See answer ↓

4. Which Article directs the State to separate the judiciary from the executive in the public services?

A. Article 40

B. Article 48

C. Article 44

D. Article 50

See answer ↓

5. The First Amendment inserted Article 15(4) after which Supreme Court decision?

A. Kesavananda Bharati v. State of Kerala

B. Minerva Mills v. Union of India

C. State of Madras v. Champakam Dorairajan

D. Golak Nath v. State of Punjab

See answer ↓

6. After Minerva Mills (1980), Article 31C protects laws giving effect to:

A. Fundamental Duties only

B. Article 39(b) and 39(c) only

C. Articles 36 to 51

D. All Directive Principles

See answer ↓

Answer Key

1. **C.**
   Articles 36 to 51 form Part IV.
   ↑ Q1
2. **A.**
   Article 37 says the provisions of Part IV are not enforceable by any court.
   ↑ Q2
3. **D.**
   Equal pay for equal work is in Article 39(d) of the original text. The 42nd Amendment added 39A, 43A and 48A.
   ↑ Q3
4. **D.**
   Article 50 is a written Directive Principle.
   ↑ Q4
5. **C.**
   The 1951 decision struck down community-based seat reservation. Parliament then inserted Article 15(4).
   ↑ Q5
6. **B.**
   The Court struck down the 42nd Amendment extension to all Directive Principles. The narrow 39(b) and 39(c) protection stays.
   ↑ Q6

Quick-check answers

1. **False.** Article 37 bars direct enforcement. Only a law made to implement the principle can be enforced. ↑ 1
2. **False.** It was already in Article 39(d) in 1950. ↑ 2
3. **True.** Article 50 says so in plain words. ↑ 3
4. **False.** Minerva Mills struck down that extension. Only the narrow 39(b) and 39(c) protection survives. ↑ 4

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