

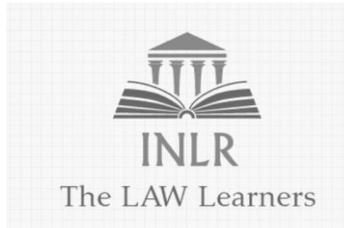
**DIRECTIVE PRINCIPLES OF STATE POLICY: A MERE
CONSTITUTIONAL RHETORIC OR A REALITY?**

- BRIJRAJ DEORA¹

ABSTRACT

This research paper throws light on the status of Directive Principles of State Policies in the Constitution of India. It critically analyses the inclusion of this concept in Constitution with its non-justiciable character in Indian legal regime. This paper also examines whether it is a mere rhetoric concept in Constitution or a reality of those fundamental principles proposed by the founding fathers of Constitution for the socio economic rights of citizenry. It also focuses on how despite being its non-enforceable status in courts of law, Judiciary has assumed them as basis standards to be complied with while enacting a law? Judiciary in its role of Judicial Activism, Judicial Review and PIL has not just made DPSP a collection of socio economic principles but signified its role towards making of welfare state. Criticism of DPSP as being just principles added in Constitution towards achieving framework of modern Constitution also fades away by the increasing importance of it as guiding principles for governing bodies in democratic structure. This paper concludes that non-enforceable character of DPSP does not make it a paralyzed part of Constitution but a main organ of Democratic setup.

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1. INTRODUCTION

“Injustice anywhere is a threat to justice everywhere”

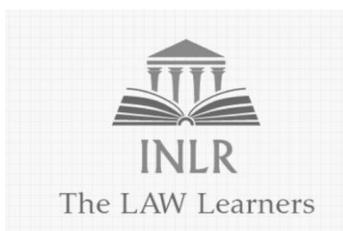
Martin Luther King Jr.

The discussion on the status of Directive Principles of State Policies, hereafter referred to as DPSPs, in constitution ranges from the claim that they are mere constitutional promises devoid of practicability to fundamental principles which are consumed by the citizens. In a common parlance DPSP are principles which guide a government in present action and future direction regarding its nation and people. Various Scholars have defined it in their ways as *SM Mehta* recognized DPSP as those ideals which should be considered by the state when forming the policies and making laws in order to secure ‘social, economic and political justice’ to all.² Further, he noted that DPSP enshrined under the constitution are the principles which provides the ‘aims and objects of the state’ to be fulfilled by it. He further notes that these set of principles ensures the life to the aspirations of the people and the nation.³ In this regard, *Chinnappa* have to say that “directive principles specify the programs and the mechanics of the state to attain the constitutional goals set out in the preamble”.⁴ Therefore, *Metha and Chinnappa* held DPSP as the means and ends to attain socio-economic and political justice. They are instrumental in furthering the aspirations of the people and implementing the very aims and objectives of DPSP. Thus, Directive Principles of the State Polices are considered to be core and living constitutional principles.

²SM Mehta, *A Commentary on Indian Constitutional law* (Deep & Deep Publications 1990) 215.

³Bertus De Villiers, ‘Directive Principles of State Policy and Fundamental Rights: The Indian Experience’ (1992) 8 S. Afr. J. on Hum. Rts. 29, 30-34.

⁴Reddy Chinnappa, *The Court and the Constitution of India: Summit and Shallows* (OUP 2010) 73.



Similarly it is noted by *Basu* that the part IV of the Constitution [of India] embodies DPSP, which provides directions to the State, guiding it with the establishment of an economic and social democracy, as proposed by the Preamble”.⁵ DPSP are considered as standards of achievement which all the government organs in running their business should aim for. They also aim to establish social and economic democracy promised in the Preamble. They were inserted with the aim of establishing a ‘socialist pattern in the society’ and not subscribe to either of the extremes-Individualism or Socialism.⁶

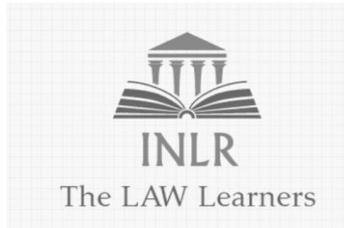
Thus DPSP are collections of constitutional provisions that require a state to carry out certain obligations in fulfilment of its mandate for the citizenry”. By the same token **Ceazar** considered the DPSP as “blue-prints for good governance and social justice for all” which helps the nation to realize its national ideals. Democracy being a process taking time to be built, making DPSP a part of this democratic process to advance socio-economic and political development will make DPSP real constitutional principles. Till the constitutional democracy is functioning in a place, DPSP will hold a vital role as it has to provide tools and inputs for the functioning of state organs namely the legislative, executive and judiciary.

Contrary to that, there are many scholars who believe that DPSP are just constitutional promises having no mechanism for their enforcement. It was also argued by some members of the constitutional assembly during its debate of the Indian Constitution that given “the political and programmatic nature” of DPSP coupled with their non-judicial enforcement, they should not be part of the constitution.⁷ Though *Das* accepted it without any doubt that

⁵Durga Das Basu, *Introduction to the Constitution of India* (15th ed., Prentice Hall of India 1993) 475

⁶Durga Das Basu, *Introduction to the Constitution of India* (22nd ed., 2015)163

⁷ Constitutional Assembly Debate Vol. 4 362-364.



DPSP are important, but he believes that rather than making it a part of the main chapter of the constitution it should be included in “an appendix to the Constitution” if it is required.⁸ Joshi strengthen this assertion by adding to it that there should be no space for “political manifestos in a constitution” as constitution surpasses short lived political goals.⁹ Whereas *Seervai* also argued stating the inclusion of DPSP in a constitution is simply a rhetorical concept of “hopes, ideals and goals” lacking actual realities supported by political mechanism of enforcement as opposed to legal enforcement.¹⁰

The argument of these authors does not have a clear stand on one side it holds DPSP as those political ideals which are believed to be short lived than other constitutional principles which stays comparatively longer. Thus concludes that the Constitution should not make such short lived political ideas as part of it. On other side, even if DPSP are believed to be as durable ideals to guide the state’s functioning, their non-enforceability will render them empty promises. Thus as per these authors, in either way DPSP are mere rhetorical than practical principles which a constitutional democracy could not afford to have. Whereas *Usman* argues that DPSP are defect to the constitutional design and compromises with the idea of constitutionalism and supremacy of the constitution.¹¹

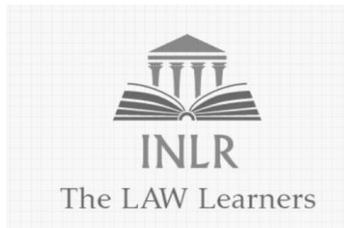
DPSP are therefore constitutional instructions provided and monitored by the people for the government to uplift the rights, needs, and interests of these people. Regarding this the Gledhill stated that though the DPSP are non-justiciable, the decisions of courts will be affected by it in the same manner as the Magna Carta and the Preamble of the American

⁸ Constitutional Assembly Debate Vol. 4 366-368.

⁹ G Joshi, *The Constitution of India* (1958) 108.

¹⁰ HM Seervai, *Constitutional Law of India* (1984) 1577.

¹¹ Jeffrey Usman, ‘Non-Justiciable Directive Principles: A Constitutional Design Defect’ (2007) 15 Mich. St. J. Int’l L. 643.



Declaration of Independence has affected the decisions of English judges and American judges respectively.¹² Thus, the DPSP's role as constitutional principles should not be under-estimated it being non-justiciable.

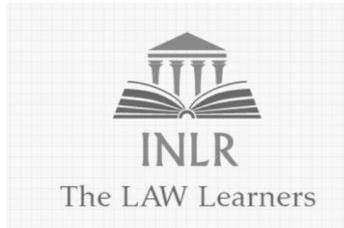
Hence, it is justified that constitutionalizing DPSP is a fruitful endeavour for democratic culture, human rights and social justice as they being dynamic pillars which grows with time and develops the constitution as a true living document -which fulfils the present day the demands of people. DPSP provides much space for political dialogue unlike fundamental rights and thereby will enhance the democratic culture.¹³ Its moral and political character for governance will provide the people a sense of power which is manifested in elections. While applying and interpreting laws, the judicial sense of the DPSP will definitely render justice and uphold it as a constitutional principle.

2. A RHEOTIC CONCEPT OR REALITY

Having the arguments for as well as against the constitutionalizing DPSP, the enforcement problem of it is not an extraordinary constitutional problem attributed to the nature of DPSP. The chapter of fundamental rights in the constitution also finds difficulty in its enforcement although not to the same extent. Similarly, this holds true for other constitutional provisions for examples the separation of power, division of power and the independence of the judiciary to mention some. India is a country that has shown commendable progress in the judicial implementation of DPSP whereas country like Ethiopia even couldn't enforce the fundamental rights. Thus, the problem relating to the

¹² Alan Gledhill, *The Republic of India: The Development of its Law and Constitution* (2nded, Stevens & Sons 1964) 161-2

¹³Wiktor Osiatynski, *Human Rights and Their Limits* (Cambridge University Press 2009)) 70-99



enforcement of DPSP is not sufficient to justify the DPSP of being a simple rhetoric concept.

Sir B.N. Rau believed that these Principles had an “educative value”.¹⁴ This educative value was for reminding those in power what the aim of the Indian polity is. All the provisions in the Part encompass the goal of the Welfare State that is India. Therefore, the justification to the above assertion whether DPSP are mere constitutional rhetoric’s or realities depends on the constitutional, democratic and socio-economic setups. The functioning democracy existing with a multi-party system that takes into consideration the ideals of the constitution in general and DPSP in particular as a subject of political debate, a accountable government which respects and fulfils the wishes of the people as envisaged in the constitution [DPSP], a dynamic civil society with active citizenry, and an independent and impartial judiciary that ultimately checks and balances the powers of the legislative and executive will change the aspirations expressed in the DPSP into a reality.

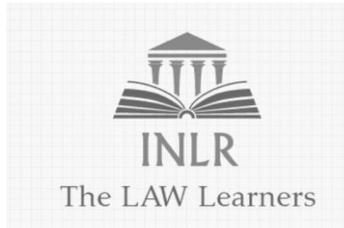
The Supreme Court in the landmark judgement of *Air India Statutory Corporation v. United Labour Union*¹⁵, has rightly observed that DPSPs are forerunners of the U.N. Convention on Right to Development. In *Unnikrishnan’s case*¹⁶ the Supreme Court went to the extent of observing that the Directive Principles constitute “Conscience of the Constitution”. They are imbedded as an integral part of the Constitution and that they now stand elevated to inalienable fundamental human rights. Though non-justiciable, they are justiciable by themselves.¹⁷

¹⁴Durga Das Basu, *Introduction to the Constitution of India* (22nd ed., 2015) 170

¹⁵*Air India Statutory Corporation v United Labour Union* AIR [1997] SC 645

¹⁶*J.P Unni Krishnan v State of Andhra Pradesh* AIR [1993] SC 2178

¹⁷Narender Kumar, *Constitutional Law of India* (8th ed., 2014)480



3. SUITABILITY OF DPSP FOR JUDICIAL ENFORCEMENT

It is usually out of the reach of court's jurisdiction to enforce DPSP's. The concept originally adopted from Irish Constitution does not impose any duty on judiciary and executive but only on the parliament at the time of making laws. It expressly renders DPSP's unenforceable by judiciary.

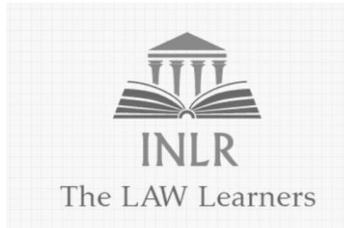
The Indian Constitution though expressly excludes judicial adjudication on DPSP matters, it surpasses duties on DPSP to all executive organs.¹⁸ The query now arises that if Judiciary cannot consider DPSP as a justiciable claim, then how will it fulfill this constitutional duty? On this aspect Chinnappa concluded that courts are not precluded by the non-justiciability of DPSP while interpreting the constitution and laws but their power is limited and courts are barred to issue directions to parliament and the state legislatures to formulate laws.¹⁹ Despite the non-justiciable character of DPSP drawn by constitution, a huge jurisprudence has been developed by the Indian courts by using them extensively to enforce fundamental rights.

Looking at the fundamental character of DPSP as a constitutional principle and its impact in realizing the aspirations of the citizens, the Indian judiciary has chosen to adjudicate matters based on DPSP as well. For the judiciary to take such initiative, it demands some sort of activism towards making constitution as a practical document and thus providing economic and social justice to concerned citizens by acting as guardian of the constitution and justice. 'Elections and Public opinion' forms the main implementing forces for DPSP as the judicial organs assumes a big responsibility to keep these constitutional promises alive in the occasion where legislative and executive break these promises²⁰ and in case the judiciary

¹⁸ Indian Constitution (n 35), article 36 and 37.

¹⁹ Reddy Chinnappa, *The Court and the Constitution of India: Summit and Shallows* (OUP 2010) 73

²⁰ Jeffrey Usman, 'Non-Justiciable Directive Principles: A Constitutional Design Defect' (2007) 15 Mich. St. J. Int'l L. 643



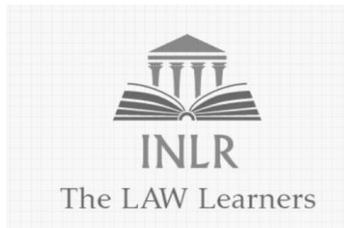
unable to exercise its function of guardian of constitution, its provisions of DPSP will remain mere promises without any utility and will be defect in constitutional design as the great scholar Usman observes.

The 'judicial revolution' brought by the active participation of it to safeguard the constitutional order and to render social justice to the people, supported by the public opinion looks feasible and consistent with the constitutional framework to bring change. If the Judicial system safeguards the constitutional schemes and acquires legitimacy for its functions, the support of public towards the judgment would be enormous and after all that have a great impact on its execution. At the end, this does not only bring the enforcement of human rights but also takes the country towards democratization. For the multiple problems which the country's political legal system faces, judicial revolution cannot be a panacea for all but would definitely fairly attempt for positive change.

4. FACTORS THAT TAKES 'DPSP' FORWARD

Though the nature of DPSP is expressly non-justiciable in Indian Constitution, they assume central place where the judiciary adjudicates the human rights. Various multiple factors also help DPSP to get important consideration from judiciary. The prime factors among those are Judicial Review, Judicial Activism and Public Interest Litigation. For better understanding of the role of DPSP in judicial enforcement of Socio-economic rights, it is requisite to consider the importance of these factors as they only carry DPSP towards socio economic and political justice. The main objective here is to examine how judicial review, judicial activism and Public interest Litigation raised DPSP from just being that the judiciary did not take cognizance of to principles which play important role in matter of constitutional adjudication.

4.1 JUDICIAL REVIEW



It empowers the judiciary to safeguard the constitution from legislative and executive intrusion. In the words of *Alexander Hamilton* from the federalist papers, the judiciary neither possesses the sword nor the purse but is empowered to pass judgments whose enforcement depends on the executive.²¹ Further adding to this he states that position of courts is appropriate to balance the wills of the people and legislature within the constitutional framework. In this respect, the role of judicial review is very significant as it maintains and furthers the constitutional ideals and keeps the functions of legislature and executive in consonance with the constitution. The moral reading of the constitution which judicial review presupposes gives life and content to the ideals of the constitution.²² It is the judicial review which assists the Indian judiciary to make sense of DPSP in the constitutional adjudication.

The power of judicial review is granted to Supreme Court as well as all the High Courts by the Constitution of India.²³ And this judicial review empowers these courts with the power to adjudicate on the actions of both the legislative and executive as void if the action is contrary to constitutional provisions. The judicial system is not just the final adjudicator among these parliamentary institutions but also a protector of the constitutional scheme, democracy and personal liberties.²⁴ *Sharan* observes that judicial review is a corner-stone of constitutionalism in the federal systems like India as that implies limited government also.²⁵ He further observed that in country like India where the public opinion doesn't get sufficient weightage, it is the duty of judicial system to rescue the general public from

²¹ Alexander Hamilton, Federalist Paper, Federalist No.

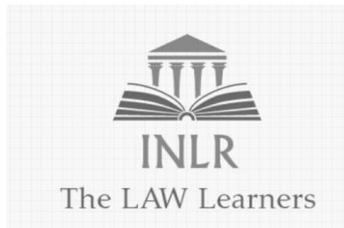
78, <<http://www.foundingfathers.info/federalistpapers/fed78.htm>> accessed 08 March 2015

²² Ronald Dworkin, *Freedom's Law: The Moral Readings of The American Constitution* (Harvard University Press 1997).

²³ Indian Constitution (n 53), articles 13, 32, 131-136, 143m, 226 and 246.

²⁴ Vibhuti Shekhawat, 'Judicial Review in India: Maxims and Limitations' (1994), *The Indian Journal of Political Science*, Vol. 55, No. 2, 177-182.

²⁵ P. Sharan, 'Constitution of India and Judicial Review' (1974), *The Indian Journal of Political Science*, Vol. 39, No. 4, 526-537, 526



supremacy of executives and tyranny of those sitting in majority in parliament otherwise that could make constitution ill balanced.²⁶

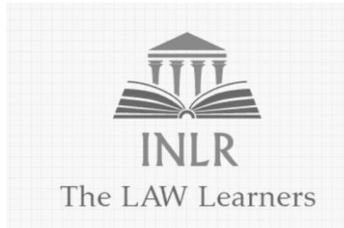
Therefore, the judiciary is entrusted with dual tasks of defending the individual liberty of people with enhancing constitutional democracy as proposed by the constitution. The Doctrine of 'Basic Structure' is also the invention of Judiciary in its judicial review function to safeguard the continuity and integrity of the basic features of Constitution as envisaged by its framers. Although it is not clear that what constitutes 'Basic Structure' Doctrine but the individual dignity secured by various freedoms and basic rights in Part III and obligation to make a welfare state by Part IV i.e. DPSP, also forms a part of this which is protected from legislative tyranny and political parties superiority.²⁷ Thus judiciary by the way of judicial review has major role in forming DPSP part and parcel of the basic structure doctrine although it is expressly stated that they are not justiciable.

The judiciary as an organ of the state takes seriously its duty towards DPSP and has been applying it in making decisions. In addition, the judiciary on numerous occasions shows that when the legislative and executive organs fail to perform their constitutional duty towards DPSP, it has stepped in defence of DPSP. For instance, in the case of *Central Inland Water v BrojoNath*, the Supreme Court notes that the duty of the court is not only to apply DPSP but also to make the other organs apply them, and in the event of contrary action prevent such action.²⁸ In the *Municipal Council, Ratlam vs Shri Vardhichand* case, the court says that "where Directive Principles have found statutory expression in Do's and Don't's the court will not sit idly by and allow municipal government to become a statutory

²⁶ ibid

²⁷ Sanjay Jain and Aathya Narayan, *Basic Structure constitutionalism: Revisiting Kesavananda Bharati* (Eastern Book Company 2011), 160.

²⁸ *Central Inland Water v BrojoNath Ganguly & Anr* [1986] SCR (2) 278



mockery.”²⁹ In the case of *State of Himachal Pradesh vs a Parent of a Student of Medical College*, the court notes that although it is a matter for the legislative and executive to introduce legislation not for the judiciary, the latter can certainly require either the legislative or the executive to carry out their duties under the Constitution if they fail to carry out.³⁰ Thus, the instrument of judicial review gives the court an active role to uphold and enforce DPSP by itself and to require others to do the same.

4.2 JUDICIAL ACTIVISM

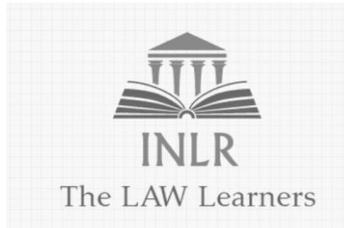
In the same way like judicial review, the main concern of discussion on judicial activism is to examine how it could be helpful for the judicial enforcement of DPSP. As already mentioned, judicial review is the means for judicial activism, the latter provides force for the enforcement of DPSP with a huge scale and intensity to raise citizens from socio-economic and political injustice. The important observation is that the allegiance of judiciary with the citizens to advance justice and enforce human rights can harmonise supremacy of executive as well as tyranny of majority. The active participation of the judicial system has allowed the citizens to enjoy socio-economic rights as provided in the DPSP despite its non-justiciability.

Though DPSP has taken its shape from the doctrine of judicial independence, now it has grown enough to resolve pertinent social-economic and political problems in the democracy. *Chinnappa* states that “the role of judicial Activism is not more or less than the activity to bring social justice to the doorstep of citizens especially in grey areas which no statute made by a legislature covers.”³¹ Due to the impact of the Constitution in uplifting

²⁹*Municipal Council Ratlam v Shri Vardhichand & Ors.* [1981] SCR (1) 97

³⁰*State of Himachal Pradesh v A Parent of a Student of Medical* [1985] SCR (3) 676

³¹Reddy Chinnappa, *The Court and the Constitution of India: Summit and Shallows* (OUP 2010) 257.



citizens and the clear picture of social realities enables the judiciary to bring the Constitution and the law to the service of the nation.³²

In the landmark judgment of *State of Kerala v N.M Thomas*³³, Court gave verdict that there is no anti-thesis between Fundamental Rights and Directive Principles and are supplement the other. Directive Principles and Fundamental Rights should be continued in harmony with each other and every attempt should be made by the court to resolve any apparent inconsistencies between them. In *Pathumma Vs State of Kerela*³⁴, Court has emphasized that the purpose of the Directive Principles is to fix certain socio-economic goals for immediate attainment by bringing about a nonviolent social revolution. The constitution aims at bringing about synthesis between Fundamental Rights and the Directive Principles. In *Olga Tellis v Bombay Municipal corpn.*³⁵, Court has affirmed that since Directive Principles are fundamental in the governance of the country they must, therefore, be regarded as equally fundamental to the understanding and interpretation of the meaning and content of Fundamental Rights. In *Minerva Mills Vs Union of India*³⁶ Chandrachud, C.J., said that “Fundamental Rights are not an end in themselves but are the means to an end.” The end is specified in the Directive Principles.

The main concern of Indian judicial system has been the rights and justice of those who could not access them due to various social, economic and political non favourable circumstances and thus judiciary has been able to grant the constitutional package of rights to these people.³⁷ Therefore, judicial activism has provided life to the constitutional

³²Jamie Cassels, ‘Judicial Activism and Public Interest Litigation in India: Attempting the Impossible?’ (1989), 7 Am. J. Comp. L, 497.

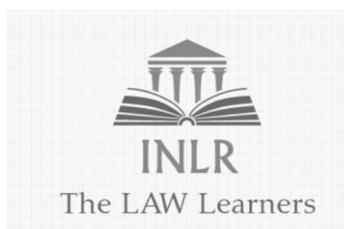
³³*State of Kerala v N.M Thomas* AIR [1976] SC 490

³⁴*Pathumma v State of Kerela* AIR [1978] SC 771

³⁵*Olga Tellis v Bombay Municipal corpn.* AIR [1986] SC 194

³⁶*Minerva Mills v Union of India* AIR [1980] SC 1789, 1806, 1807

³⁷ S.P. Sathe, *Judicial Activism in India: Transgressing Borders and Enforcing Limits* (OUP 2000).



provisions of fundamental rights and DPSP, which otherwise may not be possible.

4.3 PUBLIC INTEREST LITIGATION

In the similar manner as judicial review and activism, this part observes how the Public Interest Litigation (PIL) has made capable the poor, vulnerable and under privileged people to reach at the doors of justice i.e. court rooms. PIL has been playing a significant role for the better enforcement of human rights both in the courts/commissions of international arena as well in national courts.³⁸This has proven extremely helpful for human rights litigants in India and in uplifting the socio-economic rights under the DPSP. Fundamental rights does not got recognition under Indian Constitution but also provided with the proper remedy for it violations.³⁹Due to the lack of awareness of rights and resources by the citizens, it is not easy for general people to litigate their rights in courts.⁴⁰

Judiciary being the guardian of fundamental rights and looking at these practical realities, has introduced the concept of PIL with the sole purpose to bring rights and justice to the benefit of the poor and the vulnerable.⁴¹Also it is an commendable attempt of Judiciary that it introduced PIL and made the constitutional rights a consumable commodity to all Indians. PIL enable anyone, may it be lawyers, academics, Non-Governmental Organisations (NGOs) and any interested person to bring a case on behalf of a victim or victims in the public interest without being a victim.

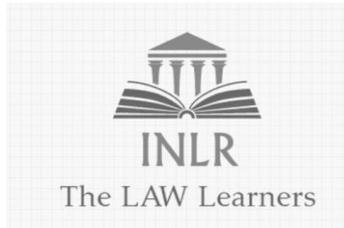
Courts have not only liberalized the standing rules, but also have actively taken their roles

³⁸Vinodh Jaichand, 'Public Interest Litigation Strategies for Advancing Human Rights in Domestic Systems of Law' (2004), SUR International Journal of Human Rights, Year 1 NO. 1

³⁹ Indian constitution (n 53), article 32

⁴⁰ Surya Deva, 'Public Interest Litigation in India: A Critical Review' (2009), C.J.Q., VOL 28, ISSUE 1, 24

⁴¹ Zachary Holladay, 'Public Interest Litigation in India as a Paradigm for Developing Nations' (2012), Indiana Journal of Global Legal Studies Vol. 19 NO. 2.



in cases of PIL. Thus deviating from standards of common law proceedings, courts actively indulge them in asking questions and proposing solutions. In special circumstances courts also appoint fact finding commissions and amicus curie depending upon facts to facts basis. Therefore the approach of courts is also people friendly towards the discharge of justice. In addition to that epistolary jurisdiction is also adopted by courts where informal petitions by the way of letters, telegrams, newspaper reports and other informal means are also entertained.⁴²

The judiciary also emphasized that public interest litigation is not an adversarial but a collaborative and cooperative project in which all concerned parties should work together to realize the human rights of disadvantaged sections of society.⁴³The Supreme Court in a number of occasions has stated the rationality behind PIL. The role of the judiciary and the principles of Constitutional interpretation were stated in the cases like *SP Gupta v Union of India*⁴⁴and the case of *Bihar Legal Support Society v. The Chief Justice of India &Ors.*⁴⁵, the courts attempt was to make the constitutional rights a consumable commodity to all Indians and thus they backed the PILs. Hence, PIL is a vital procedural engine for socio-economic rights litigation in India.

5. CONCLUSION AND OBSERVATIONS

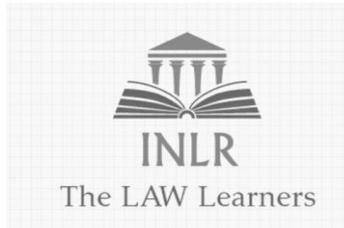
From the observations of great scholars and above discussion on DPSP, it is concluded that three fundamental pillars as common denominators can be drawn. The first is DPSP are fundamental principles of a constitution which guides the overall activities of the state

⁴²SarbaniSen, *Public Interest Litigation in India: Implications for Law and Development* (Mahanirban Calcutta Research Group 2012),15

⁴³Sathe, *Judicial Activism in India*, pp.207–208, 235–237.

⁴⁴*SP Gupta v Union of India*AIR [1982] SC 149

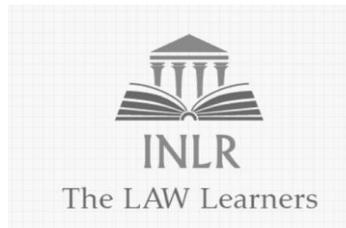
⁴⁵*Bihar Legal Support Society v The Chief Justice of India &Ors*[1986] 4 SCC 767



towards the citizenry. Second, DPSP are mainly directed to socio-economic rights. Third, the judiciary has a role to play for the enforcement of DPSP. The role of the judiciary to guard DPSP is crucial as the legislative and executive organs are unable or unwilling to adhere to the DPSP.

Further talking on its being a Rhetoric concept or Reality towards promoting socio-economic rights of citizenry, the actual utility of the 'directive' in the Constitution has always been controversial issue and the critics have gone even to the extent of calling them as pure window dressing or pious superfluities yet these principles have a great significance from the political standpoint and thus proven not to be just rhetoric. These directives being in the nature of a standing reminder to the Government as to what it has to do for its people, any Government violating these mandates would be called upon to answer the electorate at the election time.

On the other side, DPSP has emerged as the principles for bringing the socio economic and political realities on the doorsteps of legislatures. It may be said that far from being mere wishful ideals or pious thoughts, the Directive Principles of State Policy have served a useful purpose in visualizing India is a Welfare State. Some of the Directive Principles would not only serve the cause of socialism but would also help in ensuring the real enjoyment of Fundamental Rights in the context of the twentieth century. Judiciary has a decisive role in making DPSP the principles of socio economic justice and has thus made the non-justiciable character of it as just a faded shade apart from its brighter beginning in the democratic spirit. By extending DPSP principles to right to life, the Indian judiciary has managed to enforce the right to food, the right to health, the right to shelter and the right to livelihood as part and parcel of the right to life. Although DPSP are non-justiciable and there is no socio-economic rights in the Indian Constitution, the judiciary by availing the power of judicial review,



engaging in activism and liberalizing the standing rules has established enforceable biosphere of socio- economic rights within the ambits of the right to life.

Judicial Review, Judicial Activism and Public Interest Litigations have been the engines of DPSP in constantly uplifting the Socio economic causes and thus made the justice delivery system an efficient and effective for raising the concerns of under privileged and socially backward class of people. Judiciary in these three prominent functionality has been determinately safeguarding the true spirit of democratic nation and thus also not letting the aims and dreams of founding fathers of Constitution a mere Rhetoric concept but bringing the reality of the socio economic rights of citizens into a better legal regime.