

## Directive principles of State policy

v/s

## Fundamental rights

As per article 37 of Indian Constitution, DPSP are not enforceable by court of law but these principles are never less than FRs.

Whenever the State is making a law, it has to take DPSP into consideration.

In Champakam Dorairajan v/s State of Madras, 1951 the Supreme Court held that FRs are always superior than DPSP.

In Re-Kerala Education Bill Case (1957), the SC gave doctrine of Harmonisation that means where court held there is no inherent conflict b/w FR & DPSP. The court issued that a directive to be followed in future if a case comes before the court in regard to relationship between FR & DPSP.

The directive is that:- The court should not give precedence to one over another but try to maintain an harmony between two.

In Mirwa Mills Ltd. Case, 1980, the SC held that part 3 & part 4 of Indian Constitution are complementary & supplementary to each other.

The Supreme Court also held DPSP & FR are two wheels of chariot.

The SC also states that DPSP is very essential to have socio-economic justice whereas FRs are essential for political justice.

निर्देशक

FRs plays a crucial role in making Indian democracy a vibrant democracy.

The SC also stated that FRs & DPSP are part of Basic Structure of Indian Constitution

If we talk about present Scenarios, certain DPSP has precedence over certain FRs, like DPSP, article 39 (b) & 39 clause I has precedence over FRs under article 14 & 19.