



EVOLUTION OF DPSP INTO FRs WITH CHANGING TIME

By Shelal Lodhi Rajput and Ashwin Singh
From Symbiosis Law School, Pune

**Evolution of DPSPs into FRs with
changing times: Taking RTE and right to
clean and healthy environment as case
study**

ABSTRACT

The Indian constitution was drafted at the time when most of the countries had been independent for a long time and they already had their constitution. Our founding fathers of constitution after ransacking all the constitutions that were present at that time and selected the best out of them keeping in mind the aims and aspirations of martyrs, the people and concept of welfare state.

All through the opportunity battle for the interest for Essential Rights was in bleeding edge. The nation was consistent that we ought to incorporate all human, political, common, monetary, social and social rights. The Fundamental Rights imagined by the Indian National Congress were at last isolated into two;

- (I) Political and Social equality; and
- (ii) Social and Economic Rights.

The former is named Fundamental Rights and the latter are called Directive Standards of State Policy. This division was embraced from Irish Constitution, The Universal Declaration of Human Rights along with a number of constitutions and conventions. In the present time we get to see that now some

DPSPs converting into FRs as Article 45 which is a DPSP provides us with education for children below 6 years but as with evolving times we get to see about the change as Article 21A which gives us Right to Education (RTE) is now Fundamental right. There are other rights also which evolved from DPSPs.

This paper aims at understanding the relation between DPSPs and FRs as envied by our framers and the possible future of DPSPs in the context that whether the time has finally come to evolve these DPSPs into something else, something more powerful and whether the current initiatives taken by the government in the recent years to convert DPSPs are being fulfilled or not.

KEYWORDS: Fundamental rights, RTE, Environment, DPSPs

INTRODUCTION

In the Indian situation of fundamental rights and DPSPs are two sides of the same coin, when the country gained its independence the framers divided all the rights which they believed into two different criteria one being which the government believed that it can provide and the other being which the government want to provide but it cannot, this paper try's to analysis the similarities and the difference between Fundamental rights and DPSPs through two case studies of environment and education.

The constitution of India is not coming from heaven or given as a gift by British Parliament. It is the outcome of great research and deliberation by a group of representatives of people who had faced all the atrocities by Britishers and know what actually we need for our country. The constitution from the



very beginnings provided the citizens with some sort of expectations to have a clean and healthy environment and to get proper education through DPSPs and slowly these expectations developed into realities when through judicial activism and popular support the constitute on provided environmental rights under article 21 and education rights under article 21 (b) though still there is a long way to go in full development of the same, this fact of development of DPSPs provide us an idea as to how DPSPs can evolve into proper fundamental rights.

Granville Austin, observed that the "Fundamental Rights and Directive Principles had their roots deep in the struggle for independence".¹ K.S. Hegde, ex-Judge of the Supreme Court of India viewed that the "inclusion of Fundamental Rights in India's Constitution had its beginning in the forces that operated in the national struggle during the British rule". At the most, as Justice K.S. Hegde said, the inclusion of the fundamental rights in an enumerated fashion, that too in a basic document like the Constitution, can be traced to the sufferings of people during freedom struggle, but not the rights. If we see the words of Granville Austin in his book; "both types of rights had developed as a common demand, products of the national and social revolutions, of their almost inseparable intertwining, and of the character of Indian Politics itself".

STATEMENT OF PROBLEM

The "conscience of constitution" according to **Granville Austin** is in the Part III and Part

¹ **Granville Austin:** *The Indian constitution: cornerstone of a nation.* xvii

IV of the constitution of India², the part III is no doubt is life of constitution but Part IV is also that important. In present time we get to see that how the things changed. The problem which is on hand is that, in the past some DPSP is evolved into FRs but is they evolved as per what is in views by Framers of constitution and the most important thing is, that till what extent the DPSPs get evolved.

The solution is that there should be in to development of DPSPs into FRs which needs in present time for well-being of citizens, the main thing, the principle what is in DPSP should must be prevailed with their evolution, other things changed then it does not matter but in case which is discussed here is that the evolution of **Article 45** does not carry the very principle on the basis of which **RTE** is made, there is again a gap here it is what about fundamental rights of children below 6 years for education?

The solution which needed is that the core principles will not be hindered by any situation which was already happened in 86th Amendment Act, 2002 for implementing RTE and now we say that DPSP is evolved but not in the perfect way as in present also there is Lacunae.

Literature Review

For present research paper we have reviewed some scholarly articles that is in parity with our research gap for what we are researching in this paper.

ARTICLES REVIEWED

² Working a democratic constitution.



Dr. Prashant Thote, L. Mathew & D.P.S Rathoure (2013) In this paper author expressed his thoughts that the Act which was enacted in 2009³ for education in whole India is for the awareness of the most important subject in the context for development of a wellbeing. He also do research work which includes survey in which he found that RTE awareness must still be more pronounced. He also provide some solutions in parity for Art. 45, which is the genesis of Art. 21A. Apart from it he also survey on local basis and keep his attention on teachers of Monera district. This paper also find out that there is more need for the ratification on the things.

Mona Kaushal (2012) the whole paper here focuses on the implementation of RTE Act and what are the lacunae's in that Act apart from it the author also connects education with technological developments. She also said that there is need to prove right to education in grassroot level and commented on the visions by which it incorporate under Part III of constitution and also why it is placed in the DPSPs apart from it she also mentioned about the dealings related on what we are working that, in anyways can Fundamental Rights be related to DPSPs or not. But here in present research paper our objectives are different from it. We have analyzed a research gap and not here relating the FRs with DPSPs because in previous research the connection is already established.

Sudhir Krishnaswamy⁴: Author in the research paper deals with mainly on the judgements and development of rights related to education with respect to time also author divided the whole paper into III Phases, he also mentioned an important table and does an analytical analysis on the subject of education with changing constitutional form, executive competence etc. Also, he cited article which is most famous and in the present research paper we also used it for understanding the research lacunae which we were dealing here.⁵

Nimushakavi : Author here deals with constitutional policy and jurisprudence related to environment, he also discusses the environment framework from the very beginning and discussed everything with an bird eye view in the work, he also mentioned a very good quote which I would like to mention it here, he said that we pray that day don't come when it happen like that, "tomorrow somebody says, I have invented a machine to produce oxygen after cutting down the trees and drilling clean energy from dry land".⁶ Also author comes up the thought of Environment as an integral right for a wellbeing. Here in the present paper we also have taken reference from the work, as we are specifically dealing with DPSPs and FRs here in the paper we took this provisions and work on research gap.

³ The Right of Children to Free and Compulsory Education Act

⁴ Securing Universal Education: Directive Principles, Fundamental Rights and Statutory Rights

⁵ Vijayashri Sripathi and Arun K. Thiruvengadam, "India: Constitutional amendment making the right to

education a fundamental right," Int. Jnl. of Constitutional Law, vol 2.

⁶ Nimushakavi, —Constitutional policy and environmental jurisprudence in India, Macmillan India Ltd, 2006.



Here in the present research paper we get to know the things after reviewing the literature works on the topic related to ours, also there is some difference of opinions in the articles and the researchers here in present paper finds some different results. Here in that there is a research gap present and we took it for our research and we get to know that some of the works which we reviewed that the position of DPSPs and FRs is continuously changing in a way or other, from legislature approach to Judicial interventions. We specifically took the research work on evolution of these two important facets which is also we get to see in scholarly articles and by research we are adding a new thing in the field of the topic.

Research Gap

The research gap which we get to see in most of the literatures provided on the topic is the lack of understanding of both the facets in consonance with each other. Another gap which we were working on the problem is) specifically in the case study of RTE and Art. 45 is the lacunae which is still present in the system and the vision is not fulfilled yet which is discussed here and on this research gap we do research work and analyzed the real problem in it. The research gap is so prominent and not many scholars pointed it out specifically. Apart from it the gap is in the understanding the development of both the facets here, which we took for research work and our case studies.

Research Questions

1. Whether all DPSPs should be evolved into Fundamental rights fully or partially as seen in the case of Right

to education and Right to clean and healthy environment.

2. Identify the potential future of DPSPs
3. Identify the current situations of Fundamental rights.
4. What is the consonance between DPSPs evolved into Fundamental rights.

Research Objectives

1. To understand the current stance of DPSPs in connection with fundamental rights.
2. Implications of Right to education and right to clean and healthy environment which were originally DPSPs but are slowly been converted into Fundamental rights.
3. To try to understand the potential of DPSP, if any.

Case Study: Article 21 and Environment

India has been an environmental friendly country..

The Stockholm Conference held in the year 1972 highlights in its first principle;

“Man had the fundamental right to adequate condition of life, in an environment of a quality that permitted a life of dignity and wellbeing.”

In 1974, when fundamental duties were added to the constitution a special clause for environmental duties were also added. In the judgments followed since our independence, courts have emphasized on the fact that the time has come to give the people of India environmental rights which includes right to clean air, right to clean and healthy environment etc. The main focus towards environmental protection and giving environmental rights to Indian begun only



after The Bhopal Gas Tragedy, the fact is that the constitution and its framers had kept a key on environmental related rights and duties. The fundamental duties and article 48 of the DPSPs prove it. In the Indian circumstance, condition affirmation, has not only been raised to the status of key convention that must be clung to, yet it has similarly been webbed with human rights approach and is at present considered as a settled in sureness that it is the key human right of every individual, to live in a pollution free condition with complete human dignity. The supreme court has from time to time, case to case raised its voice to protect the environment by making new statues, giving new principles and tights to the people.

In the Constitution of India, it is evidently communicated that it is the commitment of the state to 'verify and improve nature and to shield the boondocks and untamed existence of the country'. It powers a commitment on every inhabitant 'to guarantee and improve the customary living space including woods, lakes, conduits, and regular life'. Reference to the earth has in like manner been made in the Directive Principles of State Policy similarly as the Fundamental Rights. The Department of Environment was set up in India in 1980 to ensure a sound space for the country. This later transformed into the Ministry of Environment and Forests in 1985. The secured courses of action are upheld by different laws – acts, rules, and takes note. ***The EPA (Environment Protection Act), 1986*** came into power not long after the Bhopal Gas Tragedy⁷ and is seen as an umbrella establishment as it fills various gaps in the present laws. Starting their incalculable

laws showed up as the issues began rising, for example, Handling and Management of Hazardous Waste Rules in 1989.

The benefit of a person to tainting free condition is a bit of basic rule of the land. **Article 21** of the Constitution of India guarantees a significant right to life and individual opportunity. The Supreme Court has deciphered the benefit to life and individual opportunity to join the benefit to solid condition. The Court through its various decisions has held that the order of right to life joins right to clean condition, drinking-water and tainting free atmosphere.

After judicial activism and intervention, the right to live in a pollution free environment has been recognized as a fundamental right under article 21 of the Indian constitution in India. A number of different laws thereafter are made to provide clean environment to the citizens. Article 21 guarantees a key right to life—a presence of pride, to be lived in an authentic circumstance, freed from danger of ailment and sullyng. We all in all think about the route that there exists a close by association among life and condition. The benefit to life would be pointless if there was no solid condition. The lawful comprehension has made Right to live in a sound circumstance as the sanctum sanctorum of Human Rights. In *M.C. Mehta v. Government of India*⁸, the Supreme Court impliedly offered the benefit live in defilement free condition as a bit of the chief right of life under Article 21 of the constitution. In *M.C. Mehta versus Association of India*, AIR 1987 SC 1086 (Popularly known as "Oleum Gas Leak

⁷ **Bhopal Gas Leak Disaster** (Registration and Processing of claims) Act, 1985; after it we

developed the umbrella Act for Protection of environment.

⁸ AIR 1987 SC 1086



Case") – The Supreme Court said that the benefit lives in defilement free condition as a bit of focal right to life under Art.21 of the Constitution. The Supreme Court held that where an endeavor is busy with a dangerous or basically risky development and insidiousness results to any one by temperance of a disaster in the action of such perilous and normally unsafe activity realizing the break of hurtful gas the endeavor is cautiously and totally in danger to compensate every last one of the people who are affected by the accident and such a commitment isn't needy upon any uncommon case. The endeavor must be totally committed to compensate for such naughtiness and it should be no reaction to the endeavor to express that it had taken all reasonable thought and that the harm occurred without recklessness on its part. Incomparable hazard is one tort where issue need not be developed. It is no-issue chance. The Directive principals further are composed towards the objectives of building a welfare state. Strong environment is one of the essential segments of a welfare state. **Article 47** states that the State shall regard the raising of the level of nutrition and the standard of living of its people and the improvement of public health which includes the protection and improvement of environment as a part of its primary duties. **Article 48-A** of the constitution states that the state shall endeavor to protect and improve the environment and to safeguard the forests and wild life of the country. Part III guarantees fundamental rights which are essential for the development of an individual. A citizen cannot carry on business

activity, if it is health hazards to the society or general public.

The objectives of the widespread understandings must be cultivated if all the appropriate countries become get-togethers to them. India is a signatory to different all inclusive game plans and understandings relating to regional and on occasion overall normal issues. India has expected a primary activity from 1972 *UN Conference on Human Environment* at Stockholm to 1992 UN Conference on Environment and Development at Rio de Janerio and besides in the Earth summit Plus 5 of 1997 at New York.⁹ India is subsequently under a guarantee to interpret the substance and decision of the overall gatherings, courses of action and understandings into the surge of its national laws.

Article 21 guarantees right to life, Life recommends that to assess with human decency in any case in the event that one can't breathe clean air, have safe consumable or sustenance, every human right neighborly, political, social or monetary square measure unmeaning. in view of dazzling condition of the ecological contamination in our nation the excellent court honed its devices and strategies all through mid-80's and 90's by keeping aside all specific principles of structure and changed the standard of 'locus standi' in order to encourage the sufferings of the misfortunes of normal debasement underneath the flag of Public Interest Litigation (PIL).

The Supreme Court of India in *A.K. Gopalan V. District of Madras*¹⁰ and *Khark Singh V. Domain of U.P.*¹¹ held that under Article 21,

⁹ UNEP Journal

¹⁰ AIR 1950 SC 27

¹¹ MANU/SC/0085/1962



the advantage of life doesn't mean minor creature closeness. Further in the Maneka Gandhi's Case set out that a law affecting life and chance of an individual needs to stand the assessment of Article 14 and 19 of the Constitution. That is, if a law is mentioned by get together which keeps an eye on the life and chance of an individual and truncates it, by then it is obligatory basic that framework created by it for decreasing the chance of an individual must be sensible, reasonable and just.¹²

Regardless of the manner in which that the over decisions see that advantage to strong setting is understood the Constitutional affirmation of Article 21, all the while, we will in general ought to see that advantage to life isn't totally too. On the off chance that the State confirmations to its voters the security of life, the voters ought to owe a vow to State to deal with its blessedness. Man needs to not simply live, at any rate to gauge well and living honorably prescribes that a living decent, upstanding and solid and in good spirits life. My advantage of living is my duty to my individual men to allow them vague state of life. Satisfaction and flourishing in an exceedingly society is an onto perform. I will savor my advantages as long as I regard the advantages of others.

As such, Indian Constitution got one of the unprecedented constitutions of the truth where unequivocal game plans were intertwined in the Suprema Lex putting duties on the State similarly as occupants to guarantee and to improve nature. This most likely is a positive improvement of Indian law. The State can't treat the responsibilities

of verifying and advertisement libbing the earth as irrelevant dedicated duty. The request norms are not insignificant show-pieces in the window-dressing rather they are urgent in the organization of the country and being a bit of the transcendent law compulsory too complete. Environmental protection act is also one of the shining examples as to how much concerned the Indian government has been about environment even back when the concept of ecological protection was just an idea on the global level.

Case Study 2: Article 45 & Right To Education

There has been long debate on the topic that should DPSPs made be enforceable or not, but here we are working on different lacuna as how in past DPSPs changing into Fundamental rights and what should be future of DPSPs. As *Article 37* tells about the very nature of Part IV of constitution it states as,

“The provisions contained in this Part shall not be enforceable by any court, but the principles therein laid down are nevertheless fundamental in the governance of the country and it shall be the duty of the State to apply these principles in making laws”

so, it is clear from above that they are not enforceable so now how DPSP is changing into FRs we can see from many evolvments which was done in past. It is also written here that the principles contained here are fundamental in governance of country so here something is **implicitly mentioned which is not explicated** till now in many

¹² Dr. G. P. Verma, —Human rights to pollution free clean and healthy environment- constitutional perspectivel, 1st Ed, Bharat law publication, 2007



areas apart from one or two cases so now is really time come to change some DPSPs into Fundamental rights as already we have two great examples for same which were done by past though legislator or Judiciary i.e.

The legal advisor of constitution Sir B.N. Rau underlined on statutes instead of on justiciable rights, and furthermore consequently recognized justiciable and non-justiciable rights (a motivation from the Irish Constitution) in his work, Constitutional Precedents due to the trouble in portraying and restricting negative rights. The Precedents, during the Drafting of the DPSPs, provided the individuals with in any event five of the first twelve arrangements of the Principles. Rau likewise accentuated that these rights had an educative worth. He additionally accepted that these Principles could once in a while attack the individual rights for more prominent products. Thusly, it tends to be said that he was a solid advocate of the DPSPs¹³. From his work constitutional precedents we get to know how important DPSPs and now in today's world it is need, that some DPSPs must be converted into Fundamental rights as in past the genesis or core values of some DPSPs already converted into Fundamental rights. Also the idea seems to have changed during the course of time and in the pasts ruling of supreme court and other courts we can see that DPSPs have given more much importance in comparison with other rights¹⁴.

Apart from it many of provision in the DPSPs is simulating with the provisions of one of the biggest conventions on social and cultural rights i.e. Covenant on Economic Social and

Cultural Rights (CESCR). If we say why should DPSPs to get converted into FRs we get to see it that from the very beginning, we have concrete evidence for same as the subsequent amendments of constitution have emphasized to give an upper hand to DPSPs over FRs. We can see Land Reforms, the 25th Amendment Act 1971 inserted Article 31C into the constitution which provides that in first part

"No law which is planned to offer impact to the Directive Standards contained in the Article 39(b) and 39(c) will be considered to be void on the ground that it is conflicting with or removes or condenses any of the rights gave by Article 14 or 19".

The Supreme court held **Article 31C** as valid and not in derogation with basic structure of constitution in the *Fundamental Right Case*¹⁵ but second part of same article is not held constitutional. From the above it is clear that DPSPs also holding a great importance and in present they are continuously getting evolved in different rights and some Fundamental rights here we get to see the same here in this paper.

Part IV provide us articles which are most important for any country as we are third world country, the very basic need here is education the two most important articles were provided for the same here in this part is

Article 41
and **Article 45**

These two article provide guidelines for government to give education to children but

¹³ Durga Das Basu, *Introduction to the Constitution of India* (22nd ed., 2015).

¹⁴ Granville Austin, *The Indian Constitution: Cornerstone of a Nation*, (4th ed., 2001)

¹⁵ Keshvananda Bharti v. State of Kerala A.I.R. 1973 S.C. 1461



as they are DPSP so they are not enforceable in any court of law so with changing time it is not followed as expected by our forefathers who framed constitution for us so here as with time this DPSP gets evolved into Fundamental right by legislature by implementing 86th Constitutional amendment Act , 2002 and adding **Article 21A** of the constitution of India in Part III of constitution . Here we can get to see that the core values of DPSPs in the Article 45 get changed into Fundamental right by the action of legislature as it become the need of hour. This is not only the example of evolvement of DPSP with time but here we get to know more about it in the deeper context.

When the Constituent Assembly was established to outline the Constitution of free India, the individuals from the Assembly had taken this privilege with due consideration and remembered for Article 38 of the draft Constitution. The privilege to free and necessary education was kept till the age of fourteen years as in light of the fact that its motivation was to be restrict any youngster being utilized beneath the age of fourteen years and the child must be kept involved in some instructive establishment. When the constitution was finally adopted the right to education was included in PART IV as DPSPs and not in PART III by our framers of constitution because they think it was not possible to commence that right at time of independence and therefore it was on the discretion of state or made dependent upon the economic stability of country. But unfortunately, state did not match the expectations of constitution makers as they wanted it to be, now the question comes then how Right to education from DPSP get

evolved into Fundamental right which we get to see in today's time. Here we see the active approach of judiciary; the court came with interpretation to evolve this right as a fundamental right under the ambit of right to life which is enshrined in our constitution in Part III under Article 21. When for the very first time the argument to include right to education in ambit of Article 21 of the constitution, it was refused by Apex court and court refused to make this right enforceable under Part III as we already have DPSPs for same i.e. Art 41 and Art 45. As after rejection from Apex Court this development which we were seeing today was at long halt and after in one decision of Supreme court in famous case named *Unni Krihsnan's*¹⁶ case this right was recognized under purview or in ambit of Part III. Apart from this another landmark case named as *Mohini Jain v. State of Karnataka*¹⁷, which is popularly known as the 'Capitation fees' case; in this case Apex case also held that Right to Education is a FR and cannot be denied to citizen. After this decisions it is submitted that vacuum created by legislature is filled by the judiciary for better good of citizens as it is most important for better of citizen to evolve this DPSP into FR as after the very commencement of constitution there is efforts to implement this right which is completely futile for example from Gokhale's bill of 1911 to National Policy for Children , 1974 nothing is up to mark to provide the full utility of **Art 41 & 45** which were supposed by our framers of constitution. So this are some reasons we need to evolve DPSP into FR with this case and apart from it the most important reason is *The Universal declaration of human rights*, The UNESCO

¹⁶ UnniKrishnan v. State of A.P (1993) 1 SSC 645

¹⁷ (1992) 3 SCC 666



convention against discrimination in Education adopted on 4 December 1996.

After these two Landmark judgements given by Apex court it was expected that government would give effect to law so declared by apex court. It did not occur. But the legislature comes up with the *Constitutional (86th Amendment) Act, 2002*, which is not in toto or in conjecture to DPSP but a different variant, this amendment has inserted three new provisions in constitution of India

- i. DPSP (**Article 45**)
- ii. Fundamental Rights (**Article 21A**)
- iii. Fundamental Duties (**51A (k)**)

and also made changes with DPSP regarding the same topic i.e. Article 45. This amendment was supposed to come in consonance with the judgements that are delivered by supreme court but is not the case with this amendment unfortunately, that's why here is one lacuna and have a good research questions with objective as how DPSP is evolving into FRs and upto what mark with the constitutional principles Here we get to see that what was in article 45 was repealed by this amendment and it gives new FR for education but there is lacuna in it that DPSP get evolved but not in its true sense as what framers of our constitution wanted education to all children till age of 14 years what new provision of Article 45 reads as "*Provision for easy childhood care and education to children below the age of six years -The state shall endeavor to provide early childhood care and education for all children until they complete the age of six years*".

It is different what was article, which was earlier and Article 21A which declares right to education as Fundamental right reads as:

"The state shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the state may, by law, determine"

Now here we get to see that there is no fundamental right for children below the age of 6 years for right to education and also there is no DPSP for same so simply they don't have any rights regarding this, is it really what our framers of constitution want??? That's big question and answer is obviously no, because earlier Article 45 reads different and provides education to all till age of 14 years and there is no lower limit as it is now added by constitutional amendment now.

The present situation is that we have evolved a DPSP into FR but not in toto there are some changes that were made by legislature in that. The thing is that like this DPSP get evolved and converted into FR by way of other as contained core principles of Art 45, is in future other DPSPs get evolved if yes how and up to what extent they will in consonance with the constitution and is they really get evolved or better stays as DPSP.

Conclusion & Recommendations

The basic fact is that although there is a lot of development in the arena of converting DPSPs into FR, still there is a long way to go ahead and in the development of the current Fundamental rights themselves and to develop DPSPs into full fledged fundamental rights is rightly a dream as of now. Yes, there is a right of the people to have a clean and healthy environment under article 21 which



the apex court in the country itself has given, yes there is a right to education under article 21 (A) for children yet still there is a lot of development that has to happen to fully backup these rights, to fully made these rights into fundamental rights.

In India, the stress for environmental security has not only been raised to the status of essential principle that everybody must follow, yet it is also hitched with human rights approach and it is directly dug in that, it is the central human right of every individual to live in sullyng free condition with full human pride. The open door has just gone back and forth that the general populace, open substances, state and central government comprehend the mischief, which our developmental method has made to the living condition. For the accomplishment of the close by government laws relating to the earth it is key to make a sentiment of urban mindfulness and open tidiness in the use of city organizations like boulevards, open spots, squander, etc. Demanding approval of the game plans of law similarly is required. Law is a strong medium to move the occupants to watch tidiness and along these lines to fight defilement. Common security laws in India need another bearing in the bleeding edge setting.

The idea of rights of the people started with the introduction of Magna Carta of 1215 of Great Britain, as of now they has spread to almost all the countries on the global and it has developed far more than the original rights which were demanded in magna carta. DPSPs could be defined as part of an Indian Magna Carta which the people should be

given but are not being able to get as of now due to various complexities.

As **Paul Bigelow Sears** said, *“How far must suffering and misery go before we see that even in the day of vast cities and powerful machines, the good earth is our mother and that if we destroy her, we destroy ourselves.”*.

Finally to wind up this things, the top most recommendation is that there is the need of hour today to evolve DPSP into Fundamental Rights completely with complete prudence of mind by analyzing, determining and possible outcomes of the new evolution. Also in the matter of evolving some important DPSPs into Fundamental Rights there may be government refer to referendum which is related to utmost citizens of country i.e. Article 44 of Constitution of India UNIFORM CIVIL CODE, as our country is secular one so here must be government also take the views of citizens as “WE” who gives constitution to ourselves¹⁸. At last there is an inference of quote that Dr. B.R. Ambedkar said on social justice:

It might be said that a long way from being insignificant pie in the sky standards or devout considerations, the Directive Principles of State Policy have served a helpful reason in envisioning India is a Welfare State. A portion of the Mandate Principles would serve the reason for communism as well as would likewise help in guaranteeing the genuine happiness regarding Fundamental Rights with regards to the twentieth century.

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Citation Method : 19th Bluebook Citation edition method is followed.

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ANNEXURE

Below here the research data, which we collected from Google forms is showed for reference of the research methodology.

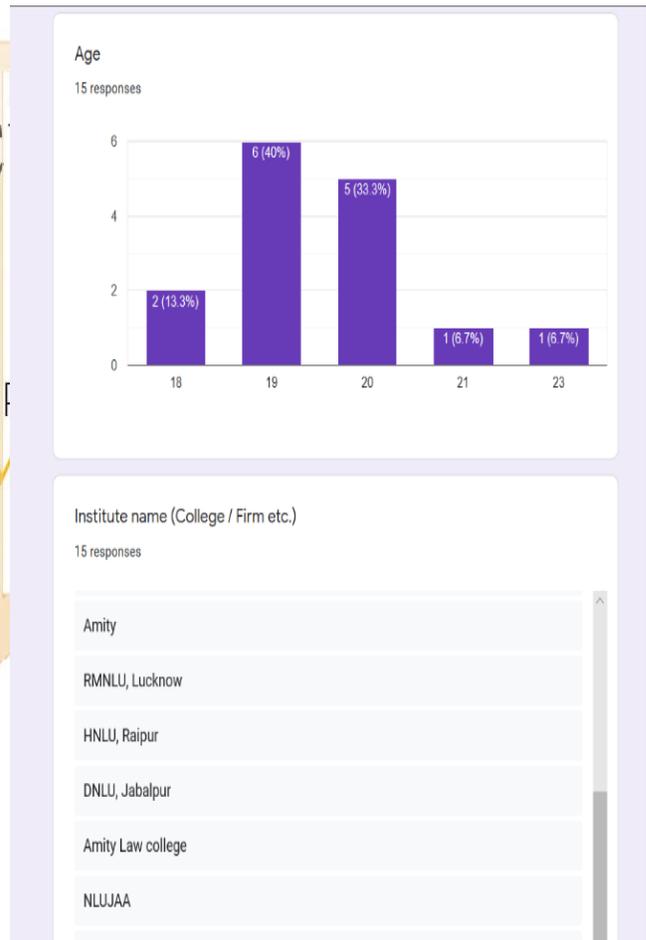
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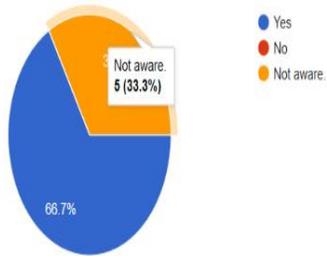
Case Laws:





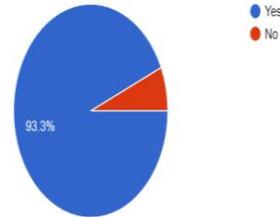
What you think is it right to evolve DPSPs into FRs with special reference to RTE and article 45?

15 responses



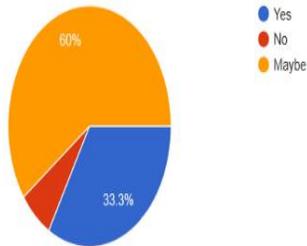
Have any Knowledge of Fundamental rights and DPSPs?

15 responses



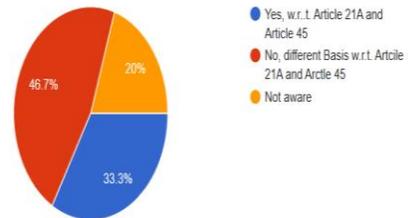
Is DPSPs evolving with time in FRs?

15 responses



Is DPSP evolved into FRs ?

15 responses



What you think is it right to evolve DPSPs into FRs with special reference to RTE and article 45?

15 responses

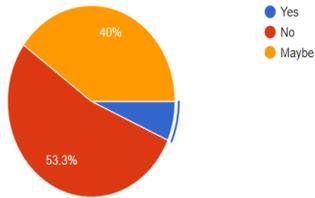
RE M
ICU

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Can DPSPs be completely changed into FRs with coming time?

15 responses



Is the purpose of Art. 45 is completely fulfilled with evolution in Art.21A (RTE).

6 responses

- Nope
- To some extent, yes.
- Not completely.
- Maybe but not sure because both are in different parts of constitution.
- maybe
- Not completely but maybe to some extents

The above data which we collected from survey and analysed it regarding solving our research questions and what the different individual from different fields think on it in various age group.
