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Q17

Consider the following statements: With reference to the Constitution of India, the Directive Principles of State Policy constitute limitations upon 1. legislative function. 2. executive function. Which of the above statements is/are correct? (a) 1 only (b) 2 only (c) Both 1 and 2 (d) Neither 1 nor 2 Official key: D.

UPSC Civil Services Prelims 2017 · General Studies · 2 marks · Polity and Governance

Indian Constitution, polity, rights, governance - Prelims GS Paper I.

Explanation**(a)**

(a) 1 only. DPSPs are not justiciable limits on the legislature in the way Fundamental Rights are under [Article 13](#). Statement 1 is false.

(b)

(b) 2 only. They likewise do not operate as judicially enforceable fetters on the executive. Statement 2 is false.

(c)

(c) Both 1 and 2. Both 'limitation' claims fail. Not the key.

(d) Official key

(d) Neither 1 nor 2. Directive Principles guide the State but are non-justiciable ([Article 37](#)). They do not constitute constitutional limitations upon legislative or executive function in the Fundamental-Rights sense. This is the official key.

Summary

Official key is (d) neither 1 nor 2. [Article 37](#) says DPSPs are not enforceable by any court, though they are fundamental in governance. Fundamental Rights, not DPSPs, void inconsistent law. Legislatures and executives are politically and morally directed by [Part IV](#), not legally disabled by it as a limitation clause. [Minerva Mills](#) later balanced Parts III and IV, but that still does not turn DPSPs into justiciable limits of the kind the statements claim.

Related possible facts

These can be asked in a future Prelims paper.

Article 37

DPSPs not enforceable in court

Part IV

[Articles 36-51](#)

Article 13

FR as limit on law

Minerva Mills

Harmony of Parts III and IV

Article 31C

Saving of DPSP laws (narrowed)

Champakam Dorairajan

1951; FR prevail if conflict

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