

The Function of Judiciary towards Harmonizing Fundamental Rights and Directive Principles of State Policy: An Overview

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Abstract: *The Constitution of India establishes a dual architecture of constitutional obligation: Part III, which guarantees justiciable Fundamental Rights (Articles 12–35), and Part IV, which lays down non-justiciable Directive Principles of State Policy (Articles 36–51) intended to guide governance toward an egalitarian social and economic order. Because Fundamental Rights are enforceable under Article 32 while Directive Principles are explicitly insulated from judicial enforcement under Article 37, the two Parts have historically generated doctrinal tension, most visibly in disputes concerning property, education, and labour welfare legislation. This article undertakes a doctrinal and analytical examination of the judiciary's role in harmonizing these two constitutional limbs, tracing the trajectory from the rights-absolutist position in *State of Madras v. Champakam Dorairajan* (1951) and *Golak Nath v. State of Punjab* (1967), through the harmonious construction doctrine articulated in *In Re Kerala Education Bill* (1958) and *Mohd. Hanif Qureshi v. State of Bihar* (1958), to the basic structure-anchored balance affirmed in *Kesavananda Bharati v. State of Kerala* (1973) and *Minerva Mills Ltd. v. Union of India* (1980). Particular attention is paid to the transformation of Article 21 through *Maneka Gandhi v. Union of India* (1978), *Olga Tellis v. Bombay Municipal Corporation* (1985), and subsequent jurisprudence, illustrating how Directive Principles under Articles 39, 41, 45, and 47 have been read into the substantive content of the right to life and personal liberty. The study employs doctrinal legal research methodology supplemented by a structured perception survey of 120 legal academics and practitioners to test three hypotheses concerning judicial interpretation, conflict reduction between Parts III and IV, and DPSP influence on Article 21. The article concludes that judicial harmonization, while imperfect and occasionally inconsistent, has been instrumental in transforming the Indian Constitution from a charter of negative liberties into an instrument of substantive social transformation, and recommends doctrinal consolidation through codified interpretive guidelines and continued legislative engagement with Part IV objectives.*

Keywords: Fundamental Rights, Directive Principles of State Policy, harmonious construction, basic structure doctrine, Article 21, judicial review, Indian Constitution.