

**Constitution of India Art 39 - Certain principles of policy to be followed by the State**

The State shall, in particular, direct its policy towards securing—

(a) that the citizens, men and women equally, have the right to an adequate means of livelihood;

(b) that the ownership and control of the material resources of the community are so distributed as best to subserve the common good;

(c) that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment;

(d) that there is equal pay for equal work for both men and women;

(e) that the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength;

(f) that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.

SYNOPSIS

**Cited in Sankaranarayanan 2017**

Nature, Scope & Object—The Directive Principles are also fundamental. They can be effective if they are to prevail over

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fundamental Rights of a few in order to subserve the common good and not to allow economic system to result to the common detriment. Per Ray, J, Kesavananda Bharati v. State of Kerala, (1973) 4 SCC 225.

Principle of “equal pay for equal work” is not an enforceable independent fundamental right unless discrimination is established, Harbans Lal v. State of H.P., (1989) 4 SCC 459.

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