



## Social justice under constitution of India

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### Abstract

The Constitution of India has solemnly promised to all its citizens justices-social, economic and political; liberty of thought expression, belief, faith and worship; equality of status and of opportunity; and to promote among the all fraternity assuring the dignity of the individual and the unity of the nation. The Constitution has attempted to attune the apparently conflicting claims of socio-economic justice and of individual liberty and fundamental rights by putting some relevant provisions.

**Keywords:** constitution of India, justice and liberty, fundamental rights

### Introduction

Dr. B.R. Ambedkar, the Chief Architect of Constitution of India, is the man of millennium for social justice, in the sense that he became the deliverer of or the Messiah of the Dalits, the erstwhile untouchables, Other Backward Classes (OBCs), and women, constituting 95% of Hindu population. That big segment of population had been forced to live at a sub-human level from time immemorial, under caste system, sanctioned by Hindu scriptures. He was the man of millennium for social justice, since he was the first man in history to successfully lead a tirade of securing social justice to the vast sections of Indian humanity, with the help of a law, which practically repealed the concerned portions of Hindu scriptures.

### Objective of study

- To find of social justice under Indian constitution

### Methodology

This paper prepared by secondary Data is collected from govt. offices, social work places, news channels, newspapers, websites and magazines etc.

Article 19 enshrines the fundamental rights of the citizens of this country. The seven sub-clauses of Article 19(1) guarantee the citizens seven different kinds of freedom and recognize them as their fundamental rights. Article 19 considered as a whole furnishes a very satisfactory and rational basis for adjusting the claims of individual rights of freedom and the claims of public good.

Articles 23 and 24 provide for fundamental rights against exploitation. Article 24, in particular, prohibits an employer from employing a child below the age of 14 years in any factory or mine or in any other hazardous employment. Article 31 makes a specific provision in regard to the fundamental right to property and deals with the vexed problem of compulsory acquisition of property.

Article 38 requires that the state should make an effort to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice social, economic and political shall inform all the institutions of

national life. Article 39 clause (a) says that the State shall secure that the operation of the legal system promotes justice, on a basis of equal opportunity, and shall, in particular provide free legal aid, by suitable legislation or schemes, or in any other way, to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities.

Article 41 recognizes every citizen's right to work, to education & to public assistance in cases of unemployment, old age, sickness & disablement and in other cases of undeserved want. Article 42 stresses the importance of securing just and humane conditions of work & for maternity relief. Article 43 holds before the working population the ideal of the living wage and Article 46 emphasizes the importance of the promotion of educational and economic interests of schedule castes, schedule tribes and other weaker sections.

The social problem presented by the existence of a very large number of citizens who are treated as untouchables has received the special attention of the Constitution as Article 15 (1) prohibits discrimination on the grounds of religion, race, caste, sex, or place of birth. The state would be entitled to make special provisions for women and children, and for advancement of any social and educationally backward classes of citizens, or for the SC/STs. A similar exception is provided to the principle of equality of opportunity prescribed by Article 16 (1) in as much as Article 16(4) allows the state to make provision for the resolution of appointments or posts in favour of any backward class of citizens which, in the opinion of the state, is not adequately represented in the services under the state. Article 17 proclaims that untouchability has been abolished and forbids its practice in any form & it provides that the enforcement of untouchability shall be an offence punishable in accordance with law. This is the code of provisions dealing with the problem of achieving the ideal of socio- economic justice in this country which has been prescribed by the Constitution of India.

### Conclusion

The solution to social injustice lies within us only. We should

be aware of the expressions - the poor, the backwards, social justice which are being used to undermine standards, to flout norms and to put institutions to work. We should subject every claim whether it is made in the name of the poor, the backward, whosoever to rational examination. After it has been in effect for a while, subject every concession to empirical evidence. We should shift from equality of outcomes to equality of opportunities. And in striving towards that, nudge politicians to move away from the easy option of just decreeing some reservations, etc to doing the detailed and continuous work that positive help requires, the assistance that the disadvantaged need for availing of equal opportunities. We must bear in mind that if the majority disregards smaller sections in the community, it drives them to rebellion. We should try to refashion the policies of state on truly secular and liberal principles. The individual and not the group should be the unit of state policy.

### References

1. Ambikesh K.Tripathi, Concept of Social Justice in Political Thought with Special Focus on Gandhi and Ambedkar, Shodh Drishti, 2012; 3(7):37-38.
2. Puneet Pathak. Social Justice under Indian Constitution, International Journal of Legal Developments and Allied Issues. 2015; 2:3.
3. Krishna Iyer, Justice, Beyond. Deep and Deep Publication, New Delhi, 1982, 63.
4. Mishra CMP, Tiwari A. Paradox of social justice in India, A Journal of Asia for democracy and development. 2016; 16(4).
5. Myneni SR. Political Science, Allahabad Law Publication, Faridabad, 2008, 207.