

Daily Mains Practice Answer 2-09-2026

Q. “The Right to Work in India has evolved from a Directive Principle into a statutory entitlement, but its constitutional status remains contested.” Discuss with reference to Articles 21 and 41. (15 marks, 250 words)

Directions: Intro-----Article 41 & 21 + From directive principle to statutory entitlement---
---Conclusion.

Introduction:

Briefly describe the right to work.

Main Body

Constitutional foundation — Article 41

- Article 41 (DPSP) – State to make effective provision for the right to work, education and public assistance in cases of unemployment, old age, sickness and disablement.
- However, it is non-justiciable; its implementation is subject to the limits of the State’s economic capacity.
- The Constitution does not create an unconditional, enforceable right to employment for every citizen.

Expansion through Article 21

- Article 21 – Right to life and personal liberty – expanded through various judicial interpretations.
- *Olga Tellis v. Bombay Municipal Corporation* (1985) – The SC recognised the close relationship between the right to livelihood and the right to life, observing that deprivation of livelihood can affect the ability to live.
- Article 21 provides an indirect constitutional foundation for protecting livelihood.

From directive principle to statutory entitlement — Example: MGNREGA

- MGNREGA, 2005 represents a major shift – making employment a demand-driven statutory entitlement.
 - Failure to provide employment attracted an unemployment allowance.
 - Creating a social-security mechanism during rural distress.
 - Strengthening livelihood security and rural purchasing power.
 - Giving practical effect to Article 41.
 - Panchayats and social audits are provided.

- Thus, MGNREGA did not make the Right to Work a Fundamental Right; rather, Parliament has given statutory force as a component of Article 41.

Conclusion:

Give a balanced conclusion and suggest some measures.

Evolution of the Right to Work in India illustrates the dynamic interaction between FR, DPSP and legislation.

