

---

# RIGHT TO LIVE WITH DIGNITY UNDER ARTICLE 21 OF THE CONSTITUTION OF INDIA - A DETAILED STUDY

---

Muffliha Sadaf, BBA.LLB (Hons), Bharath Institute of Law, Chennai-600073

## ABSTRACT

One of the most basic elements of human existence is the right to live a free, complete, and dignified life. Every individual has the right to conduct their lives on their terms, free of unjustified interference from others. A strong democracy can only exist if its inhabitants have the right to defend their own lives and liberties. In India, citizens have the right to life and personal liberty, which is guaranteed under Part III of the Indian Constitution of 1950. These Fundamental Rights embody the people's core principles and are protected from governmental acts, meaning that no official authority can violate a citizen's fundamental rights unless the method set by the Constitution is followed. As a result, this Article bans the state from infringing on a person's right to life and personal liberty. The term "state" refers to all bodies with statutory power, such as the federal and state governments, municipal governments, and so on. As a result, private entities' violations of the right are not covered. The phrases 'life' and 'personal liberty' refer to a wide range of citizens rights that have emerged as a result of the courts' evolving interpretation of Article 21 throughout time. We'll look at the many components of this Fundamental Right below, but first, let's take a look at the concept's jurisprudential history and the relevance of one of the most renowned decisions on the case of *Maneka Gandhi v. Union of India* (1978)<sup>1</sup>.

In this paper, the author intends to throw light on article 21 and its interpretations in an elucidated manner.

**Keywords:** fundamental rights, personal liberty, right to life, dignity, the constitution of India.

---

<sup>1</sup> AIR 597, 1978 SCR (2) 621

## What is personal liberty?

When it comes to personal liberty, it refers to the freedom from any type of physical constraint of the individual, whether by personal confinement or otherwise, and it encompasses all rights other than those guaranteed by Article 19 of the Constitution. The procedure defined by law refers to the state's legislation. Under the Constitution, the term "deprived" has a wide range of meanings. The fundamental rights guaranteed under Article 21 is one of the most essential rights guaranteed by the Constitution, and the Apex Court has referred to it as the "heart of fundamental rights."

## Meaning of article 21

The Definition, Concept, And Interpretation Of The Term "Right To Life" 'Everyone has the right to life, liberty, and personal security,' according to Article 21.

The right to live is without a question the most basic of all rights. All other rights improve or enhance the quality of life. Because human rights can only be attached to living beings, one may anticipate the right to life to be first because, without it, none of the other rights would have any worth or purpose. If Article 21 had been read in its original context, there would have been no Fundamental Rights worth noting.

*"No person shall be deprived of his life or personal liberty except according to procedure established by law."<sup>2</sup>* Article 21 of the Constitution defines 'life' as more than only breathing. It does not implicate a mere animal existence or a life of hardship. It covers a broader range of rights, such as the right to live in dignity, the right to a livelihood, the right to health, the right to clean air, and so on. The right to life is vital to our basic existence; without it, we would not be able to survive as humans. It concludes each and every part of life that makes a man's life meaningful, full, and worthwhile. This is the only right that fulfilled every other rights that have been given by our constitution.

## Right To Live with Human Dignity

In the case of **Bandhua Mukti Morcha v. Union of India** the court gave an elaborate explanation to Art. 21 as the heart of fundamental rights, Bhagwati J. observed: *"It is the*

---

<sup>2</sup> Article 21 of the Constitution of India, 1950

*fundamental right of everyone in this country... to live with human dignity free from exploitation. This right to live with human dignity enshrined in Article 21 derives its life breath from the Directive Principles of State Policy and particularly clauses (e) and (f) of Article 39 and Articles 41 and 42 and at the least, therefore, it must include protection of the health and strength of workers, men and women, and of the tender age of children against abuse, opportunities and facilities for children to develop in a healthy manner and conditions of freedom and dignity, educational facilities, just and humane conditions of work and maternity relief. "These are the minimum requirements that must exist to enable a person to live with human dignity and no State nor the Central Government nor any State Government has the right to take any action which will deprive a person of the enjoyment of these essentials."*

The characterization of human dignity can be very well combined with law and morality. Therefore, the link between the rule of law and human dignity contributes to the sole confusion of theoretical, normative, and disciplinary debates. The basic meaning of the "rule of law" is related to equality, justice and conscience. The Indian Constitution is one of the only constitutions in the world that covers all areas of the general public. Recognizing the respect and importance of human respect, the drafters of the Constitution have integrated the term human dignity into the preamble of the Indian Constitution. The Constitution recognizes a variety of rights, including the right to equality, the right to freedom, the right to exploitation, the right to religious freedom, the right to cultural and educational rights, and the right to constitutional complaints. Sacred, basic, normal and innate rights to be treated. Basic rights are guaranteed to all without discrimination by the Constitution. Observance of basic rights protects human dignity. Recently, in the case of *Naz Foundation vs. NCT government and others*<sup>3</sup>, the court found that "the constitutional protection of human dignity expects us to recognize the value and value of all human beings as individuals in society." Social justice, which is the basis of the Indian Constitution, also makes its proposal within the framework of criminal justice. The preamble to the Constitution of India itself makes it clear that there is unity among all the citizens of India. This is why all people, including law managers and supporters, are equal. The Constitution of India also guarantees equal justice to all people in India, regardless of caste or religion. Article 21 is the most basic and dominant of the Indian Constitution. This article is frequently used by citizens because it is enforceable against the

---

<sup>3</sup> Naz Foundation v. Govt. of NCT of Delhi

state. All human life is precious and beautiful. You must cherish your human dignity. In this way, it is recognized everywhere and an ethical vision for society is established.

There are many other rights under the right to life. Included for Supreme Court interpretation. This shows that the Supreme Court's interpretation of expanding the scope and scope of Article 21 has led to jurisprudence on human rights issues. Needless to say, this jurisprudence is now an integral part of human dignity. This all happened because of the Supreme Court's generous attitude and approach. The court interpreted that in the case of *Olga Tellis v. Bombay Municipal Corporation and others*<sup>4</sup> and *Corlie Mullin v. Delhi's administrator and Union Territory*<sup>5</sup>, the right to life includes dignified life. Currently, there is no exact definition of human dignity. The concept of human dignity protected the civil, political, religious and social rights of individuals. "Human dignity means a state of honour, respect, and equality, and is spiritually linked to human life, regardless of caste, creed, gender, colour, or status." It is related to family, caste, community and society. A society that is proud of its dignity and has its norms maintains its dignity, respect, and status according to custom. As human beings, we should be treated with dignity regardless of gender. Human dignity is a basic concept of the human rights system of the world government. The importance of human dignity is set out in the Charter of the United Nations, the Universal Declaration of Human Rights, several other international agreements, and the Constitution of India, which mentions "dignity of the individual" as one of its most important values.

## Conclusion

Indian judiciary provided the best elucidation to the right to life, right to live with dignity and personal liberty under Article 21 of the constitution. The Supreme Court not only explained the instinctive human qualities of Article 21 but also established certain procedures to implement them. This makes the Rule of Law magnificent and meaningful. Each interpretation of the procedure laid down with regard to Article 21 is particularly aimed to achieve justice mentioned in the Preamble through the all-around development of the citizens. Each explanation provided attempts to fulfil the basic needs of the human being while safeguarding one's dignity.

---

<sup>4</sup> AIR 180, 1985 SCR Supl. (2) 51

<sup>5</sup> AIR 746, 1981 SCR (2) 516