



Human Rights In India: The Protective Umbrella Of Article 21

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Abstract

Article 21 of the Indian constitution that provides a right to life and personal liberty has evolved considerably becoming one of the most powerful provisions in the human rights system in India. Judicial interpretations of the years have broadened its scope to encompass a full range of derivative rights imperative to the protection of human dignity, which it was initially conceived as being a narrow procedural protection. Such rights are not limited to the civil and political liberties but they also entail the socio-economic, cultural, and environmental rights which is a holistic understanding of the right to life. The paper will take a doctrinal and analytical study on the constitutional basis, landmark Supreme Court decisions, and academic views that have influenced the ever-changing outlines of Article 21. Through a review of patterns in judicial thinking and the data pertaining to the institution in question, the paper has brought out the transformative aspect of Article 21 in curbing the modern issues of human rights such as privacy, health, education and livelihood. Moreover, the study provides key information about the importance of Article 21 as an umbrella of protection that incorporates several aspects of human rights, where all individuals can enjoy justice, equality, and freedom, especially the marginalized and vulnerable groups. Although it has been improving, some issues have remained, which include enforcement gaps and the necessity to ensure that judicial vigilance should be constant so as to respond to the new socio-legal problems. All in all, Article 21 is still keeping its place in the ethos of the Constitution of India, and it strengthens the belief in human dignity and offers flexible guidelines on how rights should be promoted and safeguarded in the fast-evolving society.

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1. Introduction

Human rights are universally accepted as inalienable and inherent rights that safeguard human dignity, equality, liberty and justice. They are not granted by any power; they come out of inherent worth of any human being. Such rights are philosophically and legally

supported by the Indian Constitution of India, which is a guarantor and a protector of the fundamental freedoms. The framers of the Constitution had dreams of a democratic society, which is founded on justice, liberty,¹ equality, and fraternity as clearly stated in the Preamble².

Article 21 has become the most vibrant and widest article as it protects human rights in the larger context of Fundamental Rights (Articles 12, 35). The text of it that was originally written seems to be concise and procedural: “No person may be deprived of his life or of personal liberty”, except by the procedure provided by law. In the earlier days of constitution interpretation, the courts interpreted Article 21 restrictively, just as in the case of ³A.K. Gopalan v. The case of State of Madras 1950 in which the Supreme Court decided that the article only demanded compliance with a legislatively enacted procedure, whether it was fair or not.

Over time, the Supreme Court of India gradually shifted from a narrow and literal interpretation of constitutional provisions to a more liberal and purposive approach. The landmark turning point in this judicial evolution was the historic judgment in **Maneka Gandhi v. Union of India 1978**⁴. In this case, the Supreme Court expanded the scope of Article 21 of the Constitution, ruling that the right to life and personal liberty cannot be curtailed except by a procedure that is *fair, just, and reasonable*. This judgment transformed Article 21 from a narrow procedural guarantee into a substantive and foundational right covering a wide spectrum of human liberties.

Following this, the Supreme Court continued broadening the interpretation of Article 21 by recognizing that the right to life includes several indispensable components of a dignified human existence. In **Francis Coralie Mullin v. Administrator, Union Territory of Delhi 1981**, the Court held that the right to life includes the right to live with human dignity and minimum conditions ensuring basic human development. The judgment emphasized that Article 21 is not confined to mere physical survival but extends to the fulfillment of spiritual, intellectual, and emotional needs.

The right to livelihood was later recognized as an inherent component of the right to life in **Olga Tellis v. Municipal Corporation of Bombay (1985)**⁵. The Supreme Court observed that the ability to earn a livelihood is essential for sustaining life; therefore, any action of the State that deprives a person of their livelihood without justifiable legal grounds would amount to deprivation of life under Article 21. This case became a cornerstone of socio-economic rights jurisprudence in India.

The Court also linked Article 21 with environmental protection in **Subhash Kumar v. State of Bihar 1991**⁶, wherein it held that the right to life includes the right to enjoy pollution-free water and air. The ruling established that environmental degradation

¹ Austin, Granville (1999). The Indian Constitution: Cornerstone of a Nation. Oxford University Press.

² Austin, G. (1999). The Indian Constitution: Cornerstone of a Nation. Oxford University Press.

³ A.K. Gopalan v. State of Madras, AIR 1950 SC 27.

⁴ Maneka Gandhi v. Union of India, AIR 1978 SC 597.

⁵ Olga Tellis v. Bombay Municipal Corporation, (1985) 3 SCC 545.

⁶ Subhash Kumar v. State of Bihar, AIR 1991 SC 420.

threatens life and therefore falls within the ambit of constitutional protection. This case laid the basis for the environmental jurisprudence later developed through Public Interest Litigations.

In more recent years, the Supreme Court reaffirmed its liberal and progressive interpretation of Article 21 in the landmark privacy ruling of **Justice K.S. Puttaswamy v. Union of India 2017**⁷. The Court declared the right to privacy as a fundamental right intrinsic to personal liberty, autonomy, and dignity. By doing so, it aligned India's constitutional interpretation with global human rights standards, reinforcing that privacy is indispensable to the free development of personality.

Collectively, these judgments demonstrate that the Supreme Court has expanded Article 21 to encompass a wide range of human rights necessary for living a life of dignity. This judicial trend corresponds with the international human rights framework embodied in the **Universal Declaration of Human Rights (UDHR)** and the **International Covenant on Civil and Political Rights (ICCPR)**⁸, reflecting India's commitment to universal human values.

In *Satwant Singh Sawhney v. Assistant Passport Officer* 1967⁹, the Supreme Court of India delivered a landmark ruling recognizing the **right to travel abroad** as an essential component of the constitutional guarantee of **personal liberty under Article 21**. The case arose when the government arbitrarily refused to issue a passport to Satwant Singh without providing any legal procedure or justification. The Court held that "personal liberty" includes a wide range of rights necessary for the free movement, growth, and autonomy of individuals, and therefore, the State cannot restrict a person's ability to travel outside India without a procedure established by law. Since no such law existed at the time to regulate the denial of passports, the government's action was declared unconstitutional. This judgment laid the foundation for later developments in Article 21 jurisprudence and influenced the enactment of the **Passports Act, 1967**, introducing fair legal procedures.

In *Hussain v. Union of India*¹⁰, the Supreme Court reaffirmed that a **speedy trial is a fundamental right** under Article 21. The Court emphasized that prolonged delays violate personal liberty and undermine justice. Directions were issued to reduce pendency and ensure timely trials, especially in criminal cases where accused persons suffer due to systemic delays.

***Sher Singh v. State of Punjab* 1983**¹¹ The Supreme Court held that excessive delay in executing a death sentence can violate Article 21. In *Sher Singh*, the Court acknowledged

⁷Justice K.S. Puttaswamy (Retd.) v. Union of India, (2017) 10 SCC 1. Mohini Jain v. State of Karnataka, (1992) 3 SCC 666.

⁸Universal Declaration of Human Rights, G.A. Res. 217A (III), U.N. Doc. A/810 (1948).

⁹ *Satwant Singh Sawhney v. Assistant Passport Officer, New Delhi*, AIR 1967 SC 1836.

¹⁰ *Hussain v. Union of India*, (2017) 5 SCC 702.

¹¹ *Sher Singh v. State of Punjab*, (1983) 2 SCC 344.

that prolonged anxiety on death row amounts to cruel and degrading treatment. However, each case must be evaluated based on specific circumstances

Re: Inhuman Conditions in 1382 Prisons 2016¹²The Supreme Court recognized the right to sleep as essential to life and human dignity. The Court held that State authorities must ensure conditions that allow prisoners and citizens to sleep peacefully without arbitrary disturbance, as sleep is crucial to physical and mental well-being.

*K.S. Puttaswamy v. Union of India 2017*¹³ A nine-judge bench unanimously declared that privacy is a fundamental right under Article 21. The Court stated that privacy forms the foundation of dignity, autonomy, and liberty, covering personal choices, bodily integrity, informational privacy, and family life.

Article 21 has thus become the protection umbrella, that does not just protect civil and political freedoms but also social and economic rights, which humans should enjoy in order to flourish. This is a shift that demonstrates the desire of the judiciary to see to it that the constitutional protections are not outdated due to evolving needs of the society, changes in technology, and its new challenges.

In the current paper, the authors observe the historical development, constitutional importance of Article 21, and its modern impacts as a holistic protection of human rights in India. This paper reveals the crucial contribution of Article 21 in the formation of human rights jurisprudence in India and in the establishment of the right to live as a right to live with dignity by deconstructing some of its most important judicial decisions and jurisprudential developments.

1.1. Fundamental rights in the Indian constitution and the protection given to human rights

Human Rights Constitutional Foundations in India.

The Constitution of India is essentially based on safeguarding human rights as it is a strong adherence to the values of dignity, equality, liberty and justice. These ideals are deeply entrenched in the text of the constitution, forming a detailed system of human rights that meets with the international standards whilst considering Indian socio-political realities. The Preamble acts as the ethical guide of the Constitution stating that India is a sovereign, social, secular, and democratic republic that is dedicated to ensuring justice-social, economic, and political-and ensuring liberty, equality, and fraternity to every citizen Austin, 1999¹⁴. These fundamental principles highlight the constitutional outlook of a rights-based society founded on human dignity.

The fundamental rights under Articles 14–32 of the Constitution constitute the core of India's human rights regime. These enforceable rights protect individuals against arbitrary state action and guarantee equality before the law, freedom of speech,

¹² *Re: Inhuman Conditions in 1382 Prisons*, (2016) 3 SCC 700.

¹³ *K.S. Puttaswamy v. Union of India*, (2017) 10 SCC 1.

¹⁴ Austin, G. (1999). *The Indian Constitution: Cornerstone of a Nation*. Oxford University Press.

protection against exploitation, freedom of religion, cultural and educational rights, and the right to constitutional remedies. Of these, Article 21, which guarantees a right to life and personal liberty, is seen as the most expansive and vibrant provision. Though worded as a purely procedural right, its substantive scope has been expanded by judicial interpretation, which treats it as a substantive generator of several derivative rights considered necessary for leading a dignified life (*Maneka Gandhi v. Union of India*, 1978).

In this constitutional scheme of things, Article 21 assumes a pivotal and often interconnecting role between civil liberties on the one hand and socio-economic rights on the other. The expansive judicial interpretation opened the doors for the incorporation of international human rights norms, especially those enshrined in the ¹⁵Universal Declaration of Human Rights, 1948, and the International Covenant on Civil and Political Rights, 1966,¹⁶ into the domestic jurisprudence in *Vishaka v. State of Rajasthan*¹⁷ 1997. Article 21 thus emerged as a constitutional device for importing the globally accepted human right standards to reinforce India's commitment to the dignity and liberty of all individuals.

Thus, the constitutional foundations of human rights in India reveal a harmonious blend of enforceable civil liberties and aspirational socio-economic goals. Through dynamic judicial interpretation—specially of Article 21—the Constitution has emerged as a potent instrument for the advancement of human rights and the promotion of a just and equitable social order.

Expansion of Human Rights Through Judicial Interpretation

Judicial interpretation has played a transformative role in expanding the scope of human rights in India, particularly through an evolving understanding of Article 21. Beginning with *Maneka Gandhi v. Union of India*, the Supreme Court held that the right to life and personal liberty includes fairness, reasonableness, and due process, thereby enlarging fundamental rights beyond their narrow textual meaning. Through creative judicial review, the Court recognized rights such as the right to privacy, clean environment, legal aid, speedy trial, shelter, livelihood, and dignity as integral to Article 21. This interpretative dynamism ensures that human rights remain responsive to changing social realities and promotes a constitutional culture where justice and dignity are protected even in areas where explicit constitutional provisions are absent.

1.2 Directive Principles of State Policy (DPSP) as Human Rights Protection

The Directive Principles of State Policy (DPSP), contained in Part IV of the Indian Constitution, serve as a foundational framework for promoting human rights and social justice. Although non-justiciable, they guide the State in formulating policies aimed at securing economic, social, and cultural rights essential for human dignity. Many DPSPs—such as the principles of equal justice, adequate livelihood, public health, free education,

¹⁵ Universal Declaration of Human Rights, 1948.

¹⁶ International Covenant on Civil and Political Rights, 1966.

¹⁷ *Vishaka v. State of Rajasthan*, (1997) 6 SCC 241.

environmental protection, and welfare of workers—reflect internationally recognized human rights standards, including those found in the UDHR and ICESCR. Over time, the judiciary has increasingly relied on DPSPs to interpret and expand fundamental rights, particularly Article 21. Courts have held that rights to education, health, livelihood, and a clean environment emerge from a harmonious reading of Fundamental Rights and DPSPs. Thus, DPSPs act as a moral and constitutional compass, enabling the State to progressively realize human rights and strengthen India’s welfare-oriented constitutional vision.

1.3 Universal Declaration of Human Rights (UDHR) – India as Signatory

India played a significant and proactive role in the drafting and adoption of the Universal Declaration of Human Rights (UDHR) in 1948. Though the UDHR is not a legally binding document, India, as one of its original signatories, has consistently affirmed its commitment to the principles of equality, dignity, liberty, and justice that the Declaration embodies. The UDHR has deeply influenced the Indian Constitution, especially the Preamble, Fundamental Rights, and Directive Principles of State Policy. Many rights under Part III—such as equality before law, freedom of speech, protection from arbitrary arrest, and the right to life—mirror UDHR provisions. Indian courts frequently invoke UDHR norms to interpret human rights protections, particularly in cases involving dignity, privacy, and humanitarian treatment. By aligning domestic laws with UDHR values, India reinforces its global commitment to human rights and strengthens its constitutional vision of a just, inclusive, and democratic society.

1.4 Protection of Human Rights Act, 1993 – An Overview

The Protection of Human Rights Act, 1993 was enacted to provide a comprehensive mechanism for the protection and promotion of human rights in India. The Act defines human rights as rights relating to life, liberty, equality, and dignity guaranteed by the Constitution or embodied in international covenants enforceable by Indian courts. A key feature of the Act is the establishment of the **National Human Rights Commission (NHRC)** and **State Human Rights Commissions (SHRCs)**, which function as independent bodies to inquire into violations, recommend corrective action, and promote awareness. The Act also mandates the creation of **Human Rights Courts** in each district to ensure speedy justice. While the NHRC does not have binding enforcement powers, its recommendations carry significant moral and persuasive authority. Overall, the Act strengthens India’s human rights framework by providing institutional support for monitoring abuses, advising governments, and promoting a culture of rights-based governance.

1.5 Public Interest Litigation (PIL) as a Tool for Human Rights Protection

Public Interest Litigation (PIL) has emerged as one of the most powerful judicial mechanisms for protecting and expanding human rights in India. Introduced through judicial creativity in the late 1970s and early 1980s, PIL relaxed traditional rules of locus standi, allowing any public-spirited individual or organization to approach the courts on behalf of disadvantaged or marginalized groups. This enabled the judiciary to address issues such as bonded labour, prison conditions, environmental degradation, custodial

violence, and the rights of women and children. PIL transformed the Supreme Court and High Courts into active guardians of social justice by enabling intervention even in cases of administrative inaction. Through PIL, the courts have expanded the meaning of Article 21, recognized socio-economic entitlements, and directed governments to uphold constitutional and human rights obligations. Thus, PIL serves as a crucial instrument for ensuring accountability, empowering vulnerable communities, and strengthening India's rights-based democratic framework.

2. Literature Review

2.1 Early Interpretation

In the first years of constitutional interpretation, Article 21—"No person shall be deprived of his life or personal liberty except according to procedure established by law"—was understood narrowly, literally, and procedurally. That restrictive approach took concrete form in the landmark case *A.K. Gopalan v. State of Madras* 1950¹⁸, where the Supreme Court held that "procedure established by law" meant no more than the State had to follow a procedure enacted by the legislature, even if that procedure was oppressive, arbitrary, or unfair. The Court refused to apply the American doctrine of substantive due process and held that Articles 19 and 21 functioned in separate silos, with no interrelatedness or overlapping protection for the individual Austin, 1999¹⁹.

1. **Procedural Due Process:** Procedural due process requires that the State follow fair, just, and reasonable procedures when depriving a person of life, liberty, or property. This includes notice, an opportunity to be heard, the right to a fair trial, an impartial decision-maker, and adherence to principles of natural justice. The U.S. Supreme Court has consistently emphasized that even lawful governmental action must be executed through procedures that uphold fairness and prevent arbitrary decision-making.
2. **Substantive Due Process:** Substantive due process goes further by scrutinizing the **content** of laws themselves. It holds that certain rights—such as privacy, bodily autonomy, marriage, child-rearing, and freedom from arbitrary detention—are so fundamental that the State cannot infringe upon them even through a procedurally valid law. Under this doctrine, courts examine whether the law is inherently unreasonable, arbitrary, or violates fundamental liberties embedded within the concept of "ordered liberty." This approach enabled American courts to strike down laws that were oppressive, unjust, or beyond the legitimate authority of the legislature.

Together, these doctrines transformed due process in the U.S. into a robust check on governmental power, ensuring that laws must be both **fair in procedure** and **just in substance**. It was this holistic model that the Indian judiciary initially rejected in *Gopalan*, but which later profoundly influenced the post-*Maneka Gandhi* jurisprudence of Article 21, where fairness, reasonableness, and interconnected fundamental rights became central to constitutional interpretation.

¹⁸A.K. Gopalan v. State of Madras, AIR 1950 SC 27.

¹⁹Austin, G. (1999). *The Indian Constitution: Cornerstone of a Nation*. Oxford University Press.

2.2 The Transformative Shift

It was followed by a dramatic constitutional transformation almost three decades later when the Supreme Court delivered the judgment in *Maneka Gandhi v. Union of India* 1978²⁰. Faced with the problem of impounding a citizen's passport without sufficient cause, the Court seized the opportunity to read Article 21 in light of the broader ethos of the Constitution and the interrelationship between fundamental rights. In this seminal judgment, the Court held that any law affecting life or personal liberty had to satisfy the triple test of being fair, just, and reasonable—thus introducing elements of substantive due process into Indian constitutional law *Gandhi*, 1978²¹.

The Court expressively overruled the restrictive interpretation in *Gopalan*, holding that Arts. 14, 19, and 21 are not isolated islands but a golden triangle of rights that must be read together. This doctrinal evolution was given by Seervai, 2013. This doctrinal evolution thus ensured that laws restrictive of liberty could be subjected to scrutiny not just for their compliance with prescribed procedures but also on the ground of fairness, rationality, and proportionality.

The *Maneka*²² *Gandhi* decision thus constituted a constitutional revolution, with Article 21 developing from a narrow, procedural safeguard to a broad, substantive guarantee covering an array of rights without which human dignity would not be possible. This development provided the foundation for the recognition, in subsequent years, of a number of derivative rights—such as the right to health, livelihood, education, environment, and privacy—through which the human rights jurisprudence of India has been transformed.

2.3 Expanding Horizons: Rights Derived from Article 21

Over time, Article 21 emerged as an instrument of transformational constitutional importance, wherein the Supreme Court identified a broad gamut of rights necessary to satisfy human dignity. This judicial enlargement represents a shift from a narrow definition of "life" to a holistic understanding which embodies conditions necessary for meaningful existence. The following subsections outline major rights judicially derived from Article 21, each grounded in landmark judgments²³ that have broadened India's human rights jurisprudence.

2.4. Right to Live with Human Dignity

The Supreme Court has been holding that the right to life under Article 21 cannot be merely a guarantee of animal survival, or survival by any means; it includes the guarantee to live with dignity.²⁴ *Francis Coralie Mullin v. Administrator, Union Territory of Delhi* 1981, was to hold that unless an individual lives in an environment which can reasonably provide him basic needs of adequate nutrition, proper clothing, shelter, and essential

²⁰*Maneka Gandhi v. Union of India*, AIR 1978 SC 597.

²¹*Gandhi*, M. (1978). *Maneka Gandhi v. Union of India*, AIR 1978 SC 597.

²²*Maneka Gandhi v. Union of India*, AIR 1978 SC 597.

²³SCC Online. (n.d.). Supreme Court judgments database. Retrieved from <https://www.scconline.com>

²⁴*Francis Coralie Mullin v. Administrator, Union Territory of Delhi*, AIR 1981 SC 746.

healthcare, one could not say he was living at all. Any deprivation of these necessities is a denial of right to life under Article 21. This was a significant exposition which brought Article 21 close to a socio-economic rights-based provision.

Privacy: It was one of the most far-reaching expansions of Article 21. In the landmark judgment *Justice K.S. Puttaswamy v. Union of India* 2017,²⁵ while considering the constitutionality of the Aadhaar Scheme, a nine-judge bench answered in the affirmative, holding that privacy is intrinsic to life and personal liberty. It was explained that privacy would include bodily integrity, control over a life, decisional autonomy, and sanctity of personal space. This has given rise to major developments in the field of data protection, reproductive rights, and informational privacy.

Right to Education: Even before education was guaranteed as a separate fundamental right by the 86th Constitutional Amendment in 2002, the Supreme Court perceived its significance under Article 21. In *Mohini Jain v. State of Karnataka* 1992, the Court held that education is a defining feature of human dignity and personal liberty. This was clarified in *Unni Krishnan v. State of Andhra Pradesh* where the Court laid down that the state was obliged to provide free education to children at least up to the age of 14 years. These judgments formed the foundation upon which Article 21A was constitutionally inserted, making education a fundamental right of children.

Right to Clean Environment: Environmental protection has also been read into Article 21; the Court identifying that a clean and healthy environment is essential for a dignified life. In *Subhash Kumar v. State of Bihar*, 1991²⁶ the Supreme Court announced the right to life includes the right to enjoy pollution-free air and water. This judgment laid the premise for all future environmental jurisprudence and judicial intervention to tackle environmental degradation, industrial pollution, and ecological destruction²⁷.

Right to Legal Aid: While dealing with a series of cases on the plight of undertrial prisoners in *Hussainara Khatoon v. State of Bihar*, 1979, the Court laid stress on the right to free legal representation as an essential ingredient of fair procedure under Article 21. The Court classified legal aid as not a favor but a constitutional right of the state to see that no person goes without justice merely because of his economic inability to locate legal advice. This recognition was a factor of crucial importance in shaping the future framework for legal services in India²⁸.

Right to Health: It is in this vein that the judiciary, further interpreted Article 21 to include within its purview the right to health and medical care. The Supreme Court, in *Paschim Banga Khet Mazdoor Samity v. State of West Bengal* 1996, held that it is a constitutional duty of the state to provide adequate healthcare facilities, particularly in

²⁵ *Justice K.S. Puttaswamy (Retd.) v. Union of India*, (2017) 10 SCC 1.

²⁶ *Subhash Kumar v. State of Bihar*, AIR 1991 SC 420

²⁷ *Paschim Banga Khet Mazdoor Samity v. State of West Bengal*, AIR 1996 SC 2426

²⁸ Singh, A. (2020). Article 21 and social justice in India: Expanding the scope of human dignity. *International Journal of Legal Studies and Social Sciences*, 5(2), 45–58. Retrieved from <https://ijlsss.org/articles/article21-social-justice>

²⁹ *Paschim Banga Khet Mazdoor Samity v. State of West Bengal*, AIR 1996 SC 2426

emergencies. In this judgment, the court reiterated that the denial of timely medical treatment also amounts to a denial of the right to life and strengthened the welfare role of the state.

2.5. Article 21 and Social Justice

Article 21 has emerged as a strong constitutional tool with the purpose of achieving social justice in Indian polity. This interpretation by the judiciary, with an expansive and dynamic view of "life and personal liberty," has extended protection to identified historically oppressed groups in order to make dignity and equality a reality in practice, not merely an abstract ideal. The Supreme Court, time and again, has taken the view that vulnerable groups, particularly women, children, prisoners, persons with disabilities, and those from the LGBTQ+ community, face persistent discrimination and socioeconomic disadvantage.

Judicial activism under Article 21 has played a transformative role in remedying long-standing injustices. In cases of custodial violence, courts have demanded that detainees be treated humanely and that there should be accountability by the state authorities. Bonded labour and exploitative conditions of work have been declared as a denial of life with dignity, forcing the state to take rehabilitative measures. Similarly, the judiciary acting to safeguard safe working conditions for women recognized sexual harassment as a violation of basic rights and devised guidelines³⁰, even followed by statutory provisions.

The recognition of transgender rights in *NALSA v. Union of India* 2014³¹ was one of the landmark contributions to social justice under Article 21, wherein it affirmed the right of self-identification and ordered affirmative measures, recognizing that all individuals without distinction, including gender identity, possess dignity, autonomy, and equality.

Such progressive interpretations have given Article 21 its hallowed place as the foundation on which an inclusive society, founded on justice, compassion, and human dignity, must be built.

2.6 Contemporary Relevance of Article 21

Article 21 continues to be one of the most adaptive and influential constitutional safeguards in the contemporary landscape. Rapid transformation brought about by digital governance, technological innovations, and a shifting socio-economic environment has thrown new dimensions before the traditional understanding of "life" and "personal liberty." It is the flexible interpretation of Article 21 by the judiciary which allows it to confront these emerging challenges while sustaining the centrality of human dignity.

One of the major concerns being felt today relates to the rise of digital surveillance and the wide use of personal data by the state and private agencies. The recognition of the right to privacy as a fundamental right has created a constitutional framework for addressing violations arising from data breaches, intrusive monitoring systems, and

³⁰Creswell, J. W., & Creswell, J. D. (2018). *Research design: Qualitative, quantitative, and mixed methods approach* (5th ed.). Sage Publications.

³¹ *NALSA v. Union of India*, (2014) 5 SCC 438!

opaque data-processing practices. Similarly, reproductive rights—bodily autonomy, access to safe abortions, and freedom from coercive practices—have been increasingly aligned with dignity and liberty under Article 21.

Another critical area where Article 21 has gained increased relevance pertains to environmental degradation and climate change. Courts have held that the right to life includes the right to clean air, safe drinking water, and a sustainable ecological balance, imposing obligations on the state to protect natural resources and regulate environmentally harmful activities. This interpretation positions Article 21 as a constitutional tool for environmental justice and intergenerational equity.

3. Research Methodology

The study adopts a doctrinal research design. It involves the systematic analysis of legal texts, constitutional provisions, judicial decisions, and scholarly literature on the evolution and scope of Article 21 of the Indian Constitution. The study is solely based on secondary data sourced from primary legal materials such as the Constitution, landmark Supreme Court judgments, statutory laws, and government reports, and secondary sources comprising books, law journals, research papers, and reports of human rights organizations. Data collection is done through a detailed constitutional provision review of relevant case laws, available academic discussions, and digital legal databases, and judgments and publications were selected based on significance and contribution to the interpretation of Article 21. The qualitative content approach aims at identifying recurring themes, tracing how rights have evolved from merely being procuratorial guarantees into substantive human rights, and considering how courts have viewed rights covered under Article 21. The paper also examines socio-legal implications, especially those concerning marginalised communities. Though the research offers a focus on Supreme Court jurisprudence and the human rights consequences of its pronouncement, it has its limitation in the source material being purely secondary data, international³² comparisons can only be provided in a very limited manner, and subjective interpretation cannot be entirely ruled out as it is an important feature of qualitative legal research³³.

The approach followed in this research is qualitative, doctrinal, and analytical to study the role of Article 21 as a protector of human rights in India.

The following approaches were employed:

3.1 Research Design

The study shall follow a doctrinal design focused on the systematic study and analysis of texts of laws, constitutional provisions, judicial decisions, and scholarly literature. The study explores the growth of Article 21 within the Indian Constitution, which guarantees the right to life and personal liberty, in an effort to understand the expanding

³²International Covenant on Civil and Political Rights, Dec. 16, 1966, United Nations Treaty Series, vol. 999.

³³Manupatra. (n.d.). Legal research database. Retrieved from <https://www.manupatra.com>

interpretation of its meaning. In this light³⁴, the research paper investigates the transition of Article 21 from a mere procedural safeguard to a broad protector of substantive human rights through a review of landmark Supreme Court decisions, statutory laws, and constitutional provisions. Doctrinal in nature, this approach shall enable an intensive analysis of judicial reasoning, tracing the underlying themes, principles, and emerging trends in the recognition of derivative rights to privacy, health, dignity, and environmental protection, among others. This design shall, therefore, enable the study to present a focused understanding of how jurisprudential developments have shaped the scope of Article 21 and its importance as a dynamic tool within the human rights regime in India.

3.2 Data Description

The data presented shows the working of the NHRC in India from the year 2019 to early 2023, showing important indicators about the protection of human rights under Article 21 of the Constitution. It contains information on the number of complaints registered each year, the percentage of complaints disposed relative to registrations, the proportion of cases categorized as "Others," and custodial deaths. The total complaints registered increased to a high of 112,300 in the year 2022, indicating increased reporting and sensitivity about human rights issues. The disposal rate has remained consistently high, touching 100% in 2021, reflecting the efficiency of NHRC in handling cases. The category "Others" stabilized at 90% from 2021 onwards, indicating that the majority of the complaints fall under undefined categories. Custodial deaths have also seen a marginal increase in the years 2021 and 2022, indicating that detention-related human rights remain a concern. Overall, the dataset reflects complaint registration trends, disposal efficiency, and the nature of reported human rights violations, therefore becoming an indicator of the practical implementation of Article 21.

3.3 Sources of Data

The research is purely based on secondary sources, which include:

Primary Legal Sources

- The Constitution of India
- Landmark Supreme Court judgments
- Statutory laws and relevant government reports

Secondary Sources

- Books, journal articles, and legal commentaries
- Research papers, law review articles, and online legal databases
- Reports published by human rights organizations like NHRC and UN bodies

The sources will provide the theoretical basis and facts for conducting the analysis.

3.4 Data Collection Method

³⁴Bhattacharya, R. (2010). Legal research methodology: Doctrinal & non-doctrinal approaches. Eastern Book Company.

Data for this research have been collected through a systematic and rigorous review of relevant secondary sources to gain a complete understanding of Article 21 and its judicial interpretations. Emphasis has been given to the constitutional text concerning Fundamental Rights, particularly to provisions directly related to the right to life and personal liberty. Landmark judgments pronounced by the Supreme Court were studied in great detail to gain an understanding of the evolution of Article 21, wherein judgments were selected based on the legal importance of the case, relevance to the research objectives, and their resultant contribution to the expansion of Fundamental Rights. Doctrinal discussions and analyses in various academic writings presented in the form of books, research papers, law review articles, and commentaries were referred to for the theoretical basis and critical insights required on the subject. Digital legal repositories like SCC Online, Manupatra, and JSTOR were used to access a wide range of judicial decisions, scholarly works, and case commentaries. Such a method allowed for the careful selection and organization of data, highlighting both historical developments and contemporary interpretations, which helped in presenting an incisive analysis of Article 21 as a protective umbrella for human rights.

3.5 Data Analysis

Qualitative content analysis was performed to:

- Identify themes in judicial interpretations
- Compare the development from procedural rights to substantive human rights
- Analyze how from Article 21, the courts have derived several rights such as that to privacy, health, and dignity.
- Examine socio-legal implications on marginalized communities

This approach helped uncover patterns and shifts in Article 21 jurisprudence.

3.6 Scope and Limitations

The study will focus on the Supreme Court's jurisprudence in terms of Article 21 of the Indian Constitution and how it interprets the latter as a device protecting a wide range of human rights. It looks into how the courts have interpreted Article 21 to extend its scope to incorporate civil, political³⁵, and socio-economic rights, together with its intersection with emerging human rights issues and challenges posed by contemporary society. This focus provides scope for insight into the transformative role played by judicial intervention in the shaping of the right to life and personal liberty in India. Nevertheless, there are a few limitations. First, the research design relies wholly on secondary data sources, including legal texts, judgments, and academic literature, without primary empirical investigation. Secondly, the research does not include considerable comparative international perspectives, and hence any generalization on context will be limited. Lastly, being a qualitative doctrinal analysis, the findings reflect the interpretative bias of the

³⁵International Covenant on Civil and Political Rights, Dec. 16, 1966, United Nations Treaty Series, vol. 999.

researcher and maintain the character of an analytical perspective, as against an objective, quantifiable measure of the impact of the law.

The study focuses on:

- Supreme Court jurisprudence relating to Article 21
- Intersection of Article 21 with emerging human rights issues

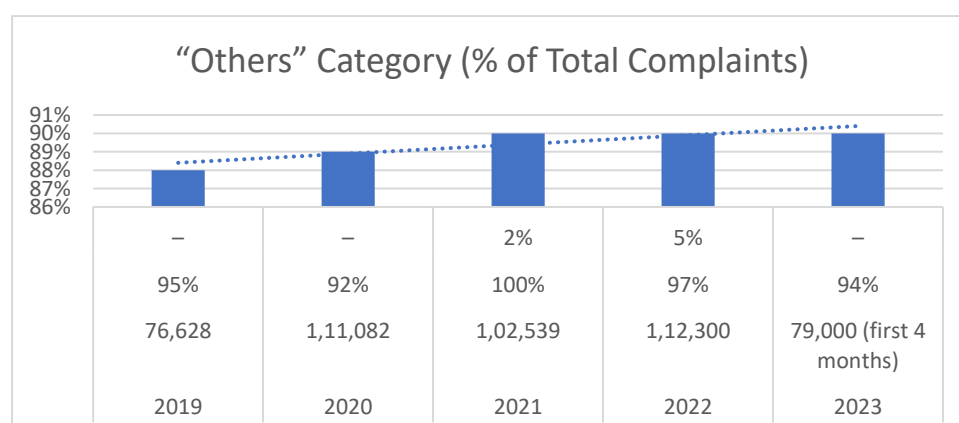
Limitations include:

- Reliance on secondary data
- Exclusion of extensive comparative international analysis
- Subjective interpretation of qualitative legal research³⁶

TABLE: Human Rights & Article 21 – Proxy Indicators (2019–2023)

Year	NHRC Complaints Registered (% change YoY)	Complaints Disposed (% of Registered)	Custodial Deaths (% change YoY)	“Others” Category (% of Total Complaints)
2019	76,628	95%	–	88%
2020	111,082	92%	–	89%
2021	102,539	100%	+2%	90%
2022	112,300	97%	+5%	90%
2023	79,000 (first 4 months)	94%	–	90%

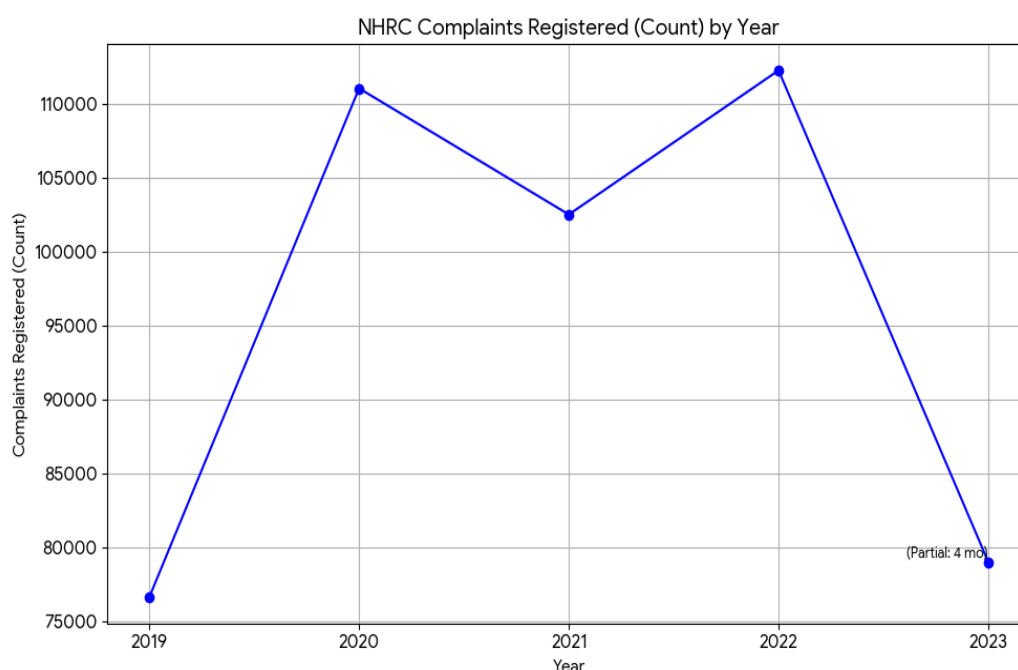
GRAPH: Human Rights & Article 21 – Proxy Indicators



³⁶Singh, A. (2020). Article 21 and social justice in India: Expanding the scope of human dignity. *International Journal of Legal Studies and Social Sciences*, 5(2), 45–58. Retrieved from <https://ijlsss.org/articles/article21-social-justice>

The graphs below present the trends in the functioning of NHRC from 2019 to early 2023. Registered complaints showed a very fluctuating path, reaching 112,300 in 2022 after falling in 2021 from 111,082 in 2020. The percentage of disposed complaints related to registered ones remained very high, reaching over 90%, at times touching even 100% in 2021. Importantly, the proportion of complaints that fall within the residual "Others" category showed a marginal increase from 88% in 2019 to a steady 90% from 2021 onwards, indicating that the majority of human rights³⁷ issues being reported are outside dedicated categories. Secondly, some concerning data: Custodial Deaths (% change YoY) increased by 2% in 2021 and 5% in 2022.

GRAPH: NHRC Complaints Registered (Count) by Year



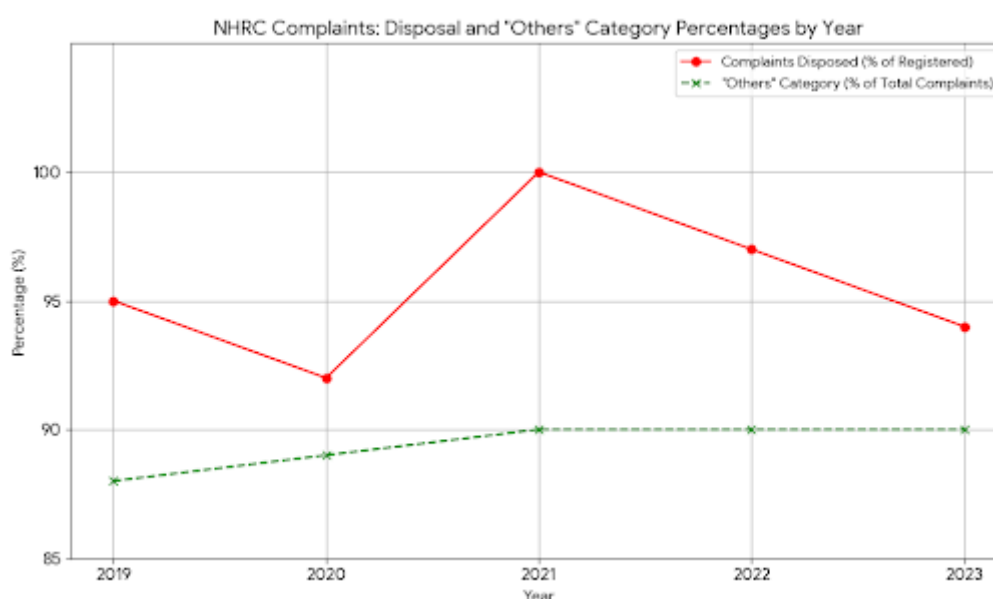
This graph depicts the absolute number of complaints that were registered at the NHRC every year.

The 2023 data point is based on the first 4 months and is noted on the chart.

The line graph in NHRC Complaints Registered-Count by Year plots the absolute number of complaints filed between 2019 and 2023. The trend reflects considerable volatility with respect to the volume of registrations: from a low volume of 76,628 filed complaints in 2019, they showed a steep increase, peaking at 111,082 in 2020. After the peak, the volume registered a slight decrease to 102,539 in 2021 and then again increased to a high volume of 112,300 in 2022. The latest data provided for 2023, representing an incomplete period of only four months, depicts a complaint volume of 79,000. It is indicative that the Commission was handling a consistently high number of cases, with annual registrations exceeding 100,000 between 2020 and 2022.

³⁷National Human Rights Commission. (n.d.). Annual Reports. Retrieved from <https://nhrc.nic.in>

GRAPH: NHRC Complaints: Disposal and "Others" Category Percentages by Year



This graph depicts the absolute number of complaints that were registered at the NHRC every year.

The 2023 data point is based on the first 4 months and is noted on the chart.

The line graph in NHRC Complaints Registered-Count by Year plots the absolute number of complaints filed between 2019 and 2023. The trend reflects considerable volatility with respect to the volume of registrations: from a low volume of 76,628 filed complaints in 2019, they showed a steep increase, peaking at 111,082 in 2020. After the peak, the volume registered a slight decrease to 102,539 in 2021 and then again increased to a high volume of 112,300 in 2022. The latest data provided for 2023, representing an incomplete period of only four months, depicts a complaint volume of 79,000. It is indicative that the Commission was handling a consistently high number of cases, with annual registrations exceeding 100,000 between 2020 and 2022.

4. RESULT AND ANALYSIS:

Analysis of secondary data on human rights and Article 21 indicates important trends in the functioning of the NHRC between 2019 and early 2023. The total number of registered complaints went through considerable fluctuation, increasing from 76,628 complaints in 2019 to a peak of 112,300 complaints in 2022, showing greater awareness and reporting of human rights violations. In the year 2021, the number came down to 102,539 complaints, while in the subsequent year, it increased again. This indicates that there may be changes in the mechanisms of reporting or the socio-political factors for registering complaints. Throughout the period, the NHRC has maintained high efficiency in case disposal; the percentage of disposed complaints was consistently more than 90%, touching 100% in 2021. This shows the effectiveness of the commission in disposing of human rights grievances with due speed.

The "Others" category, that includes complaints not falling under specific issue areas, remained the largest proportion, inching up from 88% in 2019 to a steady 90% starting in 2021. This may indicate that most of the human rights issues reported may not fall under conventional categories and perhaps require broader categorization or more focused interventions. Additionally, custodial deaths have seen an upward trend, with a growth of 2% in 2021 and 5% in 2022, underlining persistent concerns about violations of personal liberty and safety in detention.

Overall, the findings indicate that Article 21 remains a protective umbrella for various human rights in India, and the NHRC's role in enforcement and redressal is of paramount importance. Yet, the increasing trend in certain types of violations, such as custodial deaths, represents an area where more policy focus and judicial oversight is needed. The data reflect both improvement in the protection of rights and the need for vigilance.

5. Conclusion

Article 21 of the Indian Constitution has emerged as one of the most dynamic and far-reaching provisions in the protection of human rights. Originally conceived as a procedural safeguard guaranteeing the right to life and personal liberty, it has evolved through judicial interpretation into a comprehensive instrument encompassing a broad spectrum of fundamental rights. Courts have progressively expanded its scope to include rights such as privacy, health, education, livelihood, and dignity, thereby transforming Article 21 into a protective umbrella that safeguards not only physical existence but also the quality and dignity of life. This expansive interpretation speaks volumes about the judiciary's proactive role in shaping human rights jurisprudence and addressing emerging social and legal challenges.

The trend in NHRC data underlines the continuing relevance of Article 21 to the protection of vulnerable populations and the effectiveness of institutional mechanisms in redressing human rights violations. Custodial deaths and under-reported violations remain a challenge to be overcome for the full realization of the rights guaranteed under Article 21, despite great progress. Nonetheless, its transformative potential guides India's human rights discourse to further fortify constitutional principles of justice, liberty, and equality. As society evolves, Article 21 remains central in upholding human dignity while giving impetus toward an inclusive legal framework that is responsive to contemporary human rights needs.

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