



The Role of Judiciary in the Protection of Right to Life under Article 21 in the Constitution of India

Varun Katyal

LLM Student

Chandigarh University

Abstract: The right to life is enshrined in Article 21 of the Indian Constitution as a fundamental human right underpinning individual dignity and autonomy. It is crucial that the judiciary safeguards this right; however, it faces numerous obstacles that prevent it from doing so. This paper examines the multifaceted challenges encountered by the judiciary in protecting the right to life, including an overburdened judicial system, inadequate legal infrastructure, police misconduct, socio-economic disparities, political interference, and evolving social dynamics. The backlog of cases and insufficient resources impede timely justice, leaving individuals vulnerable to rights violations. Police abuse and arbitrary state actions pose additional threats, while socio-economic disparities restrict access to justice for marginalized communities. Furthermore, political influence can compromise judicial independence, undermining the judiciary's role as a protector of individual rights. To address these challenges, systemic reforms are necessary to enhance the capacity of the judiciary and improve access to justice. Strengthening accountability mechanisms for law enforcement, promoting legal literacy, and providing affordable legal aid can empower vulnerable populations to assert their rights. Additionally, ensuring the judiciary remains insulated from political pressures is vital for maintaining its integrity and authority. Defending the right to life is a hallmark of a democratic society that values justice and equality. A moral imperative, as well as a legal one, underpins the protection of the right to life in this paper. By recognizing and addressing the challenges faced by the judiciary, India can foster a more robust legal framework that upholds the right to life, ensuring that all citizens can live with dignity, security, and freedom.

Keywords: Judiciary, Right to Life, Fundamental rights and Constitution.

Introduction:

Right to life is the first and the most important right of any person primarily because the life of the people is the base of human beings and their virtue. In Article 21 of the Indian constitution, a person's right to life and liberty is guaranteed, which states that no law can deprive a person of these rights. There will be an immediate response to this profound, but succinct, statement within the Indian context in the Preamble of the Constitution¹: 'We the people of India affirm our existence and liberty in this democracy — every citizen's life shall not be deprived of protection against arbitrary government action. But what has actually happened is that the Indian judiciary and more particularly the Supreme Court has breathed into Article 21, the true meaning and content for it to live up to the expectations. Life and liberty have been redefined by the judiciary as a way to encompass not only living a life, but also living with dignity in keeping with the progressive state of Indian society. At the very beginning, it seemed that the intent of Article 21 was to ensure that the government did not arbitrarily take away life or personal liberty². Yet it took time for the judiciary to come to realize that by 'life,' it cannot strictly interpret it as to mean bare life or the ability to live. However it has to incorporate all which makes life worth living. The right to life, health, food, shelter, and freedom of person includes the recognition and enjoyment of human rights inherent in the personality. They have thereby transformed Article 21 into a right to life with dignity for all, extending its meaning from a prohibition against executive action.

Judicial declaration that multiple socio-economic and environmental rights fall under the right to life has been an important role played by the judiciary on this front. Rights to work, health, and the environment have been recognized as aspects of Right to Life with Dignity. As part of Article 21, the judiciary also protects quality of life along with mere existence. The concept is consistent with the constitutional idea of social justice in which everyone is entitled to live without violence and all forms of physical, legal, political, economic, and social discrimination and violence.

Similarly, Article 21 protects the right to personal liberty, which has been protected by the judiciary³. Liberty in this context also embraces freedom of choice, freedom of personal volition besides; freedom from restraint or mere ability of a person to do or be as one wants. In the face of unfair laws and unwarranted actions by the state, the judiciary continues to play an important role in protecting personal liberty. It has constantly reiterated in its judgments that any limitation of liberty must be proportional, reasonable and necessary to protect the citizens from tyranny and determine their freedoms from infringement. The judiciary's other important responsibility is to vindicate the cornerstone right provided under Article 21 is together with the aids of natural justice. The courts

¹ Rathore, Aakash Singh. *Ambedkar's Preamble: A Secret History of the Constitution of India*. Penguin Random House India Private Limited, 2020.

² Tiwari, Deepanshi. "Right to Privacy under Article 21: The Heart of the Fundamental Rights." *5 Issue 2 Indian JL & Legal Rsch*: 1 (2023).

³ Utkarsh Yadav, L. L. M. "Article 21: A Comprehensive Journey Of Right To Life And Personal Liberty." *Indian Journal of Integrated Research in Law* 1.2.

have defined the legal position as any procedure afforded by law aimed at negation of life or liberty has to be a fair & reasonable one. This means that no law can be unjust or unfair and every person has to be called to explain themselves. Such commitment to natural justice makes it a strong protection against other forms of governmental excess from being subjected to Article 21.

A sense of equity and social justice, as well as a functional understanding of legal procedures, are fundamental to the judiciary's recognition of the right to life under Article 21 of the Constitution. The Constitution of India at the time of its inception was a mere dream of an egalitarian society where no discrimination would be made on the basis of the sex of any citizen of this country. The Indian judiciary has also equally played its role in transforming this dream into a reality. According to the Supreme Court, Article 21's provisions can be enforced so that they entail constitutional rights, including the right to equality and the right not to discriminate, so that everyone, regardless of their economic status, has the right to live a free and enjoyable life⁴. The Judiciary has nevertheless been proactive in protecting the rights of marginalized and vulnerable groups. It has vested a historic role in the achievement of protection for the groups that are mostly persecuted including women, children and prisoners as well as economically dated persons to be protected by article 21 in the same way that those who are not discriminated against are protected. It also incorporates the common notion that there is life and it should be protected regardless of the social status of the needy persons.

Article 21 right to life also encompasses modern issues like the protection of environment, endoder tiger violence and communicable diseases. The judiciary realizes that infringements on environment, health, and public and individual safety are all reflected in the affective quality of life and has moved to incorporate such concerns through Article 21. By ensuring that the state adheres to its inherent responsibilities of protecting the environment, safeguarding public health, and preventing corruption within government, the judiciary has played an important role in protecting people's lives and liberties.

Over time, the right to life has been transformed by the judiciary under article 21 of the Indian Constitution. Providing the freedom to live a dignified, reasonable, and, most importantly, equal life, the courts have extended the idea of life and liberty by protecting people from random decisions of the state authorities. With the help of the judiciary, article 21 has become a powerful tool for protecting human rights that almost echoes the principles of justice, liberty, and social order enshrined in the Indian Constitution⁵..

⁴ Fredman, Sandra. "Emerging from the shadows: Substantive equality and article 14 of the European convention on human rights." *16.2 Human Rights Law Review*: 273-301 (2016).

⁵ Hussain, PS Munawar. "Constitutional Rights in India An Assessment of Judgments of Justice PN Bhagwati." *4.2 Journal of Constitutional Law and Jurisprudence*: 9-24 (2021).

Right to Life

Article 21 of the Constitution of India guarantees the right to life to every individual as one of the most valuable rights. The PAT states that no person may be deprived of life or personal liberty without following legal procedures. The legal text of the provision itself seems to provide very scant protection though Article 21 has been given a rather extensive meaning under the Indian constitution by the Supreme Court.

A person's right to life originally meant that the state could not intentionally take his or her life. But as time passed, the evolutionary interpretation of the judiciary was introduced by saying that the word "Life" in the Article 21 does not mean bare animal existence or life beyond human dignity⁶. As part of these social economic rights, one is protected from hunger, water shortages, shelter shortages, health problems, and education as these are all essentials for leading a decent life. According to the courts, life is meaningless without such necessities and therefore the scope of protective assessments under Article 21 has been expanded.

In addition to enlarging Article 21's right to life, the judiciary has expanded the meaning of personal liberty. A social concept called personal liberty encapsulates the freedom to make and exercise autonomous decisions in one's life without interference from the state. Among the rights it encompasses are the right to privacy, the right to liberty, and the right not to suffer torture or cruel treatment. The courts have also placed a restriction of personal liberty or freedom by law or any state action on a fairness, reasonableness and justice basis taking cognizance of the fact of insulting citizens regarding oppression and injustice to them.

In addition, courts acknowledge that deteriorating the environment may endanger people's lives and health by including a fundamental right to a healthy environment in the right to life. In addition to the right to health, Article 21 stipulates that the state must ensure that people receive adequate health care so that their right to life is protected. Article 21 of the Indian Constitution guarantees the right to life beyond physical survival⁷. This law has progressively become the cornerstone of Indian human rights and justice, ensuring dignity, rights, and fairness for all. It has been interpreted judicially to make it the cornerstone of Indian human rights and justice.

Human Dignity as a Right

Human dignity is an immigration of the right to life, according to Article 21 of the Indian Constitution. It is much more than the preservation of mere life that this article is intended to accomplish. It has a much broader meaning than no one shall be deprived of his life or liberty except in accordance with law. Article 3 of the Constitution

⁶ Srivastava, Prashant Kumar. "Right to Live with Dignity: Constitutional Provision and Judicial Interpretation." 1.1 *Journal of Constitutional Law and Jurisprudence*: 25-31 (2018).

⁷ Chowdhury, Mohona. "Demystifying Article 21: Heart and Soul of the Indian Constitution." 6 *Issue 3 Int'l JL Mgmt. & Human*: 3418 (2023).

states that life is meaningful, fulfilling, and honorable when it is lived with dignity⁸. This right includes a number of rights that make life meaningful, fulfilling, and honorable.

In this case, human dignity means the principles of equality of all human beings should be respected in all situations alike. It makes it possible for any individual to have rights to fundamental characteristics that make human beings to live as respected, free and equal beings⁹. Some of these include; food, clean water, shelter, education, health, and a clean environment for living—the baseline for humans to live with dignity. However, if the fundamental needs listed above are lacking, the right to life will be meaningless and a poor quality of life that every person should have.

Article 21 of the Constitution maintains the concept of human dignity apart from the forceful contributions of the Indian judiciary¹⁰. Courts expanded the notion of life by focusing on the rights that promote physical, mental, and social well-being. A person's right to means of living, for example, can be considered a part of their right to life when the absence of means of livelihood is considered a degradation of the dignity of the individual and, where applicable, their family.

Furthermore, torture, cruel treatment, inhumane treatment, and degrading treatment are prohibited under the right to live with dignity. In prisons, for example, prisoners have the right to be treated humanely, as well as to privacy, against torture and forced labor¹¹. Judiciary has also stressed that a special class of citizens including women, children, elderly, and economically-disadvantaged must be protected against violation of Article 21-right to life with dignity. Thus the above-stated right to live with human dignity under Article 21 can be really said to be a complete protection as it fosters the principle of life that not only entails liberty from state interference but also liberty that is 'fair', 'equal' and 'respected' as every human being is worthy.

Workplace Sexual Harassment in India: A Right to Protection

It is important to protect women from sexual harassment at work in order to ensure gender equality, safety, and dignity for all employees in India. Realising the prevalence of the menace of sexual harassment, vitiating the fundamental rights of individuals, the legal landscape in India has enacted substantial measures towards establishment of secure workplace. This right is mainly given under **Sexual Harassment of Women at Workplace**

⁸ Addis, Adeno. "Dignity, Integrity, and the Concept of a Person." 13.4 *ICL journal*: 323-372 (2020).

⁹ Sangiovanni, Andrea. *Humanity without dignity: Moral equality, respect, and human rights*. Harvard University Press, 2017.

¹⁰ Rakshit, Souradeep, and Arpita Mitra. "Euthanasia vis-a-vis right to die with dignity: an analysis of Article 21 of the Constitution of India and approach of the Indian Judiciary." 11 *Indian JL & Just.*: 99 (2020).

¹¹ Mendez, Juan E. "Right to a healthy prison environment: Health care in custody under the prism of torture." 9 *Notre Dame J. Int'l Comp. L.*: 40 (2019).

(Prevention, Prohibition, and Redressal) Act, 2013¹² also known as Sexual Harassment Act for preventing sexual harassment against women in workplace and enforcing gender sensitization at workplace.

As Sexual harassment at work is defined by the Sexual Harassment Act as any unwelcome conduct of a sexual nature or of similar nature involving physical contact, advances, sexually coloured comments, or pornography displayed in the workplace. This broad definition means that the above mentioned types of harassment are distinguished and punished, offering an apparent system of responsibility.

The Act contains sections, one of which envisages formation of ICCs in establishments employing more than ten workers. These committees are vested with the responsibility of hearing and handling complaints of sexual harassment while offering an impartial and non-disclosure processing to the victim. This mechanism allows women to freely report harassment without being fired or demoted and gives the women a chance at justice and reparation. According to the Act, the employers are to ensure that workplace is safe and are equally to ensure that they take measures to eliminate sexual harassment.

It can therefore be concluded that the legislative backup has been instrumental in advancing the right against sexual harassment not only from the legislative front in India but judiciary too has stepped up to play fruitful part in this regard. Several precedents have anticipated that workplace safety is requisite and clearly stated that sexual harassment infringes the constitutional rights of equality and human dignity as provided by articles 14 and 21 of the Constitution¹³. Workplaces must be protected from discrimination and harassment and the courts have determined that employers failed in their duties. Also, the right against sexual harassment means that not only women have a right not to be harassed. The current law suggests that both sexes of employees ought to be protected from harassment at the workplace. Over the past years, subtle and serious cases have shifted towards sexual harassment against men and the LGBTQ+ community, and the impartiality of the right to dignity and safety has prevailed.

In India, the right against sexual harassment at work holds great importance for gender equality and preventing workplace sexual harassment¹⁴. These legislations combined with judicial endorsement of the same have ensured that there is a legal framework through which victims can seek justice against the offenders. As the society develops, it becomes crucial to make the workplaces safe for all kinds of employees, whereby employees should be able to work without being harassed or discriminated against.

¹² THE SEXUAL HARASSMENT OF WOMEN AT WORKPLACE (PREVENTION, PROHIBITION AND REDRESSAL) ACT, 2013 ACT NO. 14 OF 2013

¹³ Sharma, Brij Kishore. *Introduction to the Constitution of India*. PHI Learning Pvt. Ltd., 2022.

¹⁴ Gupta, Dipali, and Juhi Garg. "Sexual harassment at workplace." *International Journal of Legal Science and Innovation*, 2020.

Right against Illegal Detention in India

Against illegal detention is one of the fundamental human rights guaranteed by the Indian constitution. The right to freedom is essential to the protection of individual liberty. It is prohibited to deprive a person of his life or freedom except in accordance with the law, according to Article 21 of the constitution. In accordance with Article 21 of the constitution, a person cannot be deprived of his life or freedom except as provided by law. Article 22 stresses the prohibition of arbitrary arrests and detentions, which reiterates the annulment principle that no person may be deprived of his or her liberty without due process. This constitution contains provisions regarding arrests and detentions in Article 22¹⁵. Arrested persons have the right to know the reason for their arrest, as well as to engage a lawyer of their choice and be represented by them. In addition, the law also permits a person to be arrested on real and probable cause and must be taken to a magistrate within 24 hours excluding time taken in transit. This provision is important in preventing unlawful detention, especially because it prohibits an accused from being held without the court's permission indefinitely.

It involves arrest or confinement of a person beyond what the law allows in a given society, thus a violation of the legal due process. It becomes obvious that such detention remains a very serious form of abuse of power which always results in human rights infringements. The judiciaries of India have acknowledged the importance of safeguarding people against unlawful apprehension, and stated that arbitrary arrest violates the rights and breaks down the rule of law and may cause severe damage—a both psychologically and physically—to the person in question. The apex court of India has therefore assumed a big part in elaborating the right against unlawful detention. Several judgments by the Court have highlighted that individual liberties are inalienable and should be respected at all costs. It has provided rules for police and authorities as to how and when and why they can arrest or detain any person, and a strong indication of concerns about the rights of such persons¹⁶.

Furthermore, the laws against extrajudicial execution also encompass provision of the rights of other special groups of people such as women and children as well as the minorities. It is necessary that there are special measures in order to guarantee these subjects will not be detained, ill-treated or exploited by state power. Some are people of color; the judiciary has recognized and accepted the importance of being sensitive and fair on such individuals, reasserting itself that the right against unlawful detention is a global right. Beside constitutional guarantees other legal provisions have been put in place that enhance protection against illegal detentions. Bharatiya Nagarik Suraksha Sanhita¹⁷, as well as state laws, describe the rules for arrest, detention, and bailing, and people may seek legal redress if they feel they have been violated. These laws enable the steps, which should be taken in order to restore justice for the cases of Illegal detention and are contributing to the execution of the

¹⁵ Sharma, Abhimanyu, and Advocate Chahit Bansal. "PROTECTION AGAINST ARREST AND DETENTION UNDER ARTICLE 22."

¹⁶ Marcoux Jr, Laurent. "Protection from arbitrary arrest and detention under international law." *5 BC Int'l Comp. & L. Rev.*: 345 (1982).

¹⁷ THE BHARATIYA NAGARIK SURAKSHA SANHITA, 2023 ACT NO. 46 OF 2023

principles of an all-encompassing equilibrium between police authority and freedom of an individual. Right against unlawful imprisonment is one of the constitutional rights of a person in India which is protected by constitutional framework and strengthened by judicial decisions. This right asserts that no one should be vulnerable to the unfathomability of state authority, which preserves law and order and justice. This is a right that requires constant vigilance as society changes, so that there may be needed intervention to prohibit abuses of authority for the unlawful imprisonment of people and for every citizen to live their life without having to worry about being arrested unlawfully.

Right to Privacy in India

Privacy, right to, is an important civil liberty that has found considerable appreciation in India, especially in light of the growing appreciation of digital freedom and growing State surveillance. There is no provision in the Indian constitution for protecting an individual's privacy, but it has been interpreted under the provisions of articles 14, 19 and 21. According to Article 21 of the Constitution, any violation of the right to life, including the right to live in dignity and good health, as well as the right to freedom of movement and association, must follow the legal system. According to a recent Supreme Court of India judgment, the seminal judgement in **Justice K.S. Puttaswamy v. Union of India**¹⁸, now recognizes the right to privacy as a legal right in India. Under Article 21 of the Indian Constitution, the right to privacy is a constitutional right guaranteed by the Supreme Court. This unanimous verdict summarised the provision asserting that every person has the freedom to decide their matters of private concern without the State interfering with an individuals' rights and dignity. In addition, the Court emphasised that privacy is essential to the exercise of many fundamental rights, including the right to freedom of expression, assembly, and self-expression.

The right to privacy is complex and can therefore be looked at in the following ways, which are, informational privacy, bodily privacy, and territorial privacy¹⁹. Informational privacy safeguards an individual's freedom to determine how personal information will be collected, used and processed thus providing individuals a voice on how data concerning them will be used. This is especially important in the context of the modern communication technology the use of which raises important issues of privacy violation for instance by hacking. Bodily privacy gives individuals the rights to determine what ought to be done to their bodies, for example in issues to do with health, sexuality and intimacy. Territorial privacy relates to privacy on the territorial aspect of an individual's life, whereby an individual and his/her family are shielded from unnecessary interferences by the state or other forms of authority.

¹⁸ Justice K.S. Puttaswamy v. Union of India, AIR 2017 SC 4161

¹⁹ Nissenbaum, Helen. "Protecting privacy in an information age: The problem of privacy in public." *The ethics of information technologies*. Routledge, 141-178, 2020.

This is the position of the right to privacy and one cannot underestimate the effects that this has on all implacements of law and governance in India. That is why it puts a burden on the state to justify interference in personal rights to privacy as reasonable and appropriate. The principles of surveillance, data protection as well as personal privacy laws must respect these principles to guard people against arbitrary state actions. As the threats associated with the protection of personal information increase, the government of India has started the implementation of a wide-ranging data protection legislation. The current Personal Data Protection Bill, is being conceptualized to facilitate legislation for collection, processing, and storage of individuals' data, whereby the rights of the individual in relation to their personal data can be guaranteed and; prescribing the measures of accountability to be taken by any data handler²⁰. The rapid development of technology can threaten the existence of one of the most basic human rights, privacy. From an inherent right to a constitutional right enumerated directly in the Constitution, the right to privacy in India has undergone a remarkable change, further enhancing personal liberty and human dignity. This right has significance in many aspects of the personal and the social and this judicial confirmation has the most impact on the concerns of civil liberties and appropriate governmental intrusion into the lives of individuals. In this context, the further discussion of privacy rights as an ongoing process will remain most important in the establishment of legal conditions under which individuals will be protected and will not interfere with legitimate state performance in the rapidly changing digital environment. The right to privacy therefore is a unique shield for protecting liberty and democracy in India.

India's Constitution guarantees the right to life under Article 21

Against any deprivation of life or personal liberty without following the proper legal procedures, Article 21 of the Indian Constitution guarantees the protection of life and personal liberty²¹. Surprisingly, the provisions of this section are written in relatively simple words, but the intent and scope of this section has been judicially developed into a potent foundational protection of numerous fundamental rights, and has made it possible for people to live their lives with dignity, freedom, and Security.

It is important to note, that at the very beginning the concept which has been driving countries to impose amendments to persons' legislation was 'the right to life' and understanding of this right was quite limited, as it aimed at personal physical existence only. But it may be noted that judgments in many cases in the Supreme Court of India have refashioned Article into a potent provision for arriving at a meaningful, and thereby satisfying life, where many fundamental rights are enshrined. It is for this reason that it embraces a wide range of the so called socio – economic rights for the dignity of man; right to health, education, clean environment and shelter.

²⁰ Agarwal, Anjali. "Data Protection and Privacy Laws." 2.2 *The International Journal of Science and Technology*: 15 (2014).

²¹ Nath, Himangshu Ranjan. "Right to Life and Personal Liberty under the Constitution of India: A Strive for Justice."1 *Dibrugarh University Law Journal* (2013).

The right to life is composed of several components

Right to Privacy: Right to privacy has also been held as constitutional together with being a part of the right to life. The Supreme Court's judgment in **Justice K.S. Puttaswamy (Retd.) v. Union of India**²² established that the right to privacy is a fundamental right protected under Article 21, emphasizing that individuals should have the autonomy to make personal choices without unwarranted state interference.

An untainted and healthy environment is vital for protecting the right to life: The Judiciary has recognized that the right to life requires a clean, healthy environment. Human life and health are endangered by pollution of the environment, according to the apex court²³. Therefore, the state of residence must ensure that pollutants are not present in the environment that people have to live in by taking protective measures.

Education Rights: Right to education has also been associated with the right to life. The Supreme Court's ruling in **Unni Krishnan, J.P. v. State of Andhra Pradesh**²⁴ asserted that the right to education is an essential part of the right to life, thereby mandating that the state must provide access to education for all its citizens.

Procedural Safeguards Against Arbitrary Action

Article 21 also has the qualificatory provisions that assure protection against arbitrariness of State²⁵. This provision provides that any person can be deprived death or liberty only under the due process of law that is procedural rationality. This principle as you can see guards against wrongful arrest and detention, torture and other forms of cruel treatment by the state. The judiciary has been especially effective in making sure these procedural rights are followed; ensuring that any laws or actions which would be violating this right are unconstitutional.

Protection of Vulnerable Groups

The rights in Article 21 to life are for everyone including women and children and the poor in society as well. The judiciary has called for protection of these groups since it appreciates the fact that they come across some hurdles that would otherwise violate the cardinal principles of the provisions of the. For example, while considering issues of gender-based violence or discrimination the courts have upheld the need to protect those rights of women as well as ascertain that the laws and regulations are protective of their needs. Hence Article 21 is a handy tool for upholding the rights to life and personal liberty in India. Legislature by interpretation has broadened it to include other basic freedoms that people need to lead decent lives such as health, education, privacy and right to environment. The requirements coupled with the Article provide for the protection against arbitrary state action so that individuals do not suffer denial of their rights. Continued re-interpretation and implementation of Article 21

²² Ibid.

²³ Human life and health are endangered by pollution of the environment, according to the apex court

²⁴ Unni Krishnan, J.P. v. State of Andhra Pradesh, 1993 AIR 2178

²⁵ Marcoux Jr, Laurent. "Protection from arbitrary arrest and detention under international law." *5 BC Int'l Comp. & L. Rev.*: 345 (1982).

will remain of essence in the society as we strive to ensure adoption of rights that seek to protect individuals within India as well as enhance social justice.

Protecting the right to life: challenges for the judiciary

According to article 21 of the Constitution of India, the judiciary acts as a guardian to protect the Right to Life²⁶. Nevertheless, it has several hurdles in realising this basic freedom. Below are some of the key challenges:

Overburdened Judicial System

There are also a lot of backlogs in the Indian judiciary and sometimes they receive a high number of cases. This backlog therefore results in delay of justice and since people can rarely obtain an early remedy concerning violation of their right to life. It means that, concerning life and personal liberty, people are unprotected in case the trials last too long.

Inadequate Legal Infrastructure

In many courts, especially in rural and semi-urban centers, failure to meet basic needs is evident courtesy of inadequate infrastructure. This problem comprises a lack of the judiciary, the old infrastructure of courthouse and other related buildings, and the insufficient number of support service personnel. This weak legal foundation has been a limitation to the development of the judiciary as an institution needed to address the challenges arising from violations of the right to life and personal liberty.

Police Misconduct and Abuse of Power

Examples of police brutality, torture, and inhuman treatment present considerable difficulties in the maintenance of the right to life. This scenario illustrates that, despite gainsfinder: Despite the judiciary has insistently underlined the reasonable demand for accountability, organizational practitioners carry out corruptive unfair practices within MES systems in EA. There are situations when the judiciary ends up working with cases of detaining and abusing people by state authorities and due to this the judiciary faces a challenge of ensuring the protection of individual rights.

Socio-Economic Disparities

This paper provides an evaluation of the socio-economic disparities of India that may pose a threat to justice delivery in vulnerable communities. Members of this community may be unable to afford to seek legal redress in circumstances that endanger their right to life. One of the challenges confronting the judiciary is the issue of the social justice accessibility challenge.

²⁶ Sharma, Bhavana. "JUDICIAL INTERPRETATION ON "RIGHT TO LIFE AND PERSONAL LIBERTY" UNDER ARTICLE 21 OF INDIAN CONSTITUTION."

Political Interference and Influence

The judiciary here is susceptible to political amount pressure and interfere with its operations hence denting its independence when making decisions. However, where the Case concerns issues of the Right to Life, the Court may be faced with odds of bowing to pressure from the state authorities or other influential individuals.

Complexity of Cases

The right to life touches on sundry issues such as health, environment, as well as socio-economic rights. However, the nature of these cases sometimes presents difficult problems for the judiciary; wherein they originate with multiple institutions and raise difficult legal questions. Such differences make arriving at straightforward and easily implementable decisions unbearable.

Limited Awareness of Rights

Most people, particularly in the rural or hard-to-reach areas cannot name what they get from Article 21 and other comparable provisions of the law. This lack of awareness hinders their search for justice, and doesn't allow them to report infringements on their right to life. One of the challenges currently requiring attention within the judiciary is civil education and outreach aimed at raising legal consciousness within society making sure citizens claim their rights.

Changing Social Dynamics

There are many pressures that currently face the judiciary as a result of social changes the most common being; For example, advancement in technology especially in information gathering and privacy makes the judiciary canoe to new issues that might affect the right to life. It is always a challenge to make sure that societies' regulations are up to date with current trends.

Inconsistent Judicial Precedents

At times, a conflicting judicial authority on the right to life can cause confusion as regards to the meaning and implementation of the right²⁷. The status of having two different standards that are hard to connect to the protection of life and personal liberty can be distressing for a litigant when they receive one ruling from one court and a totally different ruling from another when trying to seek justice. In spite of the judiciary's importance as a protector of life in India, it is confronted with challenges that domicilize its effectiveness. There exist problems like backlog of cases, police brutality, economic and social class discriminations, and political influence in determination of most judicious results hence denying judicial means the power to safeguard every citizen's rights. Moreover, it will be

²⁷ McCrudden, Christopher. "Human dignity and judicial interpretation of human rights." *19.4 european Journal of international Law*: 655-724 (2008).

important to increase legal consciousness/familiarity and will also be strategically vital to navigating social transformations to guarantee the defence of the right to life in the states.

Conclusion

particular importance is whether the judiciary will play its constitutional role of protecting Article 21 – the right to life with dignity, which is also the right to life with liberty. But the resistance which the judiciary has encountered in this effort is profound and complex. It is for this reasons that effective mitigation of these factors is paramount to realizing the right to life as a principle without being an illusion to all citizens. Among them, the situation when judicial system becomes overfilled with cases is of the most urgent. The slowness in arriving at decisions affects delivery of justice services, and the people remain exposed to further abuse of their rights. The ever altering method of filling the judicial positions by appointment of the president with no or low provisions for training and development also the poor infrastructure in the courts makes this issue to be worse of because it slows down the capability of the judicial system. To address these issues, systems changes are needed to reduce delays, build court capacity and make sure that cases are processed through a court in timely manner. Further, police misconduct and abuse of authority significantly reduce the subject right to life protection. Nonetheless, routinely, through decisions that are prejudicial against suspects, behaviour within legal bodies remains a challenge, and with reference to judicial guidelines meant to prevent these practices, systemic anti-progress components in police departments prevail. There is need to improve on ways of ensuring that individuals exercise accountability and law enforcing agents are also forced to answer to the people is important so that the rights of the people are protected. Also, distribution of wealth leads to unfair representation in the justice channel for the disadvantaged groups. Such persons do not have access to legal redress and therefore remain vulnerable to infringements of their rights by those with economic muscle. Outreaches designed to enhance information on the laws and availability of cheap services from the law can assist these people to fight for their rights.

The dispute solving and resolution is also an area of concern because of political interferences and political influence that affect the judiciary. It is therefore necessary to guard an effective framework for independence of the judiciary in particular for the delivery of justice. It is imperative that the judiciary stays independent and autonomous from the other branches in order to effectively exert power to enforce this right, although the judiciary has the most importance role of ensuring the right to life in India, however the challenges it faces are quite daunting. It is critical to mitigate problems like case congestion, police brutality, social/economic inequality, and political influence in the judiciary to strengthen its activity in guaranteeing individual's rights protection. With help of reforms, people's awareness and judiciary responsibility, right to life means that every citizen has rights to live their life in dignity, safety and exercising their freedom. Finally, the safeguarding of this right could be recognized as a legal requirement, but, in fact, it meets moral standards of justice and equality in a civil society.

Bibliography

- Human life and health are endangered by pollution of the environment, according to the apex court
- Addis, Adeno. "Dignity, Integrity, and the Concept of a Person." 13.4 *ICL journal*: 323-372 (2020).
- Agarwal, Anjali. "Data Protection and Privacy Laws." 2.2 *The International Journal of Science and Technoledge*: 15 (2014).
- Chowdhury, Mohona. "Demystifying Article 21: Heart and Soul of the Indian Constitution." 6 *Issue 3 Int'l JL Mgmt. & Human*: 3418 (2023).
- Fredman, Sandra. "Emerging from the shadows: Substantive equality and article 14 of the European convention on human rights." 16.2 *Human Rights Law Review*: 273-301 (2016).
- Gupta, Dipali, and Juhi Garg. "Sexual harassment at workplace." *International Journal of Legal Science and Innovation*, 2020.
- Hussain, PS Munawar. "Constitutional Rights in India An Assessment of Judgments of Justice PN Bhagwati." 4.2 *Journal of Constitutional Law and Jurisprudence*: 9-24 (2021).
- Justice K.S. Puttaswamy v. Union of India, AIR 2017 SC 4161
- Marcoux Jr, Laurent. "Protection from arbitrary arrest and detention under international law." 5 *BC Int'l Comp. & L. Rev.*: 345 (1982).
- Marcoux Jr, Laurent. "Protection from arbitrary arrest and detention under international law." 5 *BC Int'l Comp. & L. Rev.*: 345 (1982).
- McCrudden, Christopher. "Human dignity and judicial interpretation of human rights." 19.4 *European Journal of international Law*: 655-724 (2008).
- Mendez, Juan E. "Right to a healthy prison environment: Health care in custody under the prism of torture." 9 *Notre Dame J. Int'l Comp. L.*: 40 (2019).
- Nath, Himangshu Ranjan. "Right to Life and Personal Liberty under the Constitution of India: A Strive for Justice." 1 *Dibrugarh University Law Journal* (2013).
- Nissenbaum, Helen. "Protecting privacy in an information age: The problem of privacy in public." *The ethics of information technologies*. Routledge, 141-178, 2020.
- Rakshit, Souradeep, and Arpita Mitra. "Euthanasia vis-a-vis right to die with dignity: an analysis of Article 21 of the Constitution of India and approach of the Indian Judiciary." 11 *Indian JL & Just.*: 99 (2020).
- Rathore, Aakash Singh. *Ambedkar's Preamble: A Secret History of the Constitution of India*. Penguin Random House India Private Limited, 2020.
- Sangiovanni, Andrea. *Humanity without dignity: Moral equality, respect, and human rights*. Harvard University Press, 2017.
- Sharma, Abhimanyu, and Advocate Chahit Bansal. "PROTECTION AGAINST ARREST AND DETENTION UNDER ARTICLE 22."

- Sharma, Bhavana. "JUDICIAL INTERPRETATION ON "RIGHT TO LIFE AND PERSONAL LIBERTY" UNDER ARTCLE 21 OF INDIAN CONSTITUTION."
- Sharma, Brij Kishore. *Introduction to the Constitution of India*. PHI Learning Pvt. Ltd., 2022.
- Srivastava, Prashant Kumar. "Right to Live with Dignity: Constitutional Provision and Judicial Interpretation." 1.1 *Journal of Constitutional Law and Jurisprudence*: 25-31 (2018).
- THE BHARATIYA NAGARIK SURAKSHA SANHITA, 2023 ACT NO. 46 OF 2023
- THE SEXUAL HARASSMENT OF WOMEN AT WORKPLACE (PREVENTION, PROHIBITION AND REDRESSAL) ACT, 2013 ACT NO. 14 OF 2013
- Tiwari, Deepanshi. "Right to Privacy under Article 21: The Heart of the Fundamental Rights." 5 *Issue 2 Indian JL & Legal Rsch*: 1 (2023).
- Utkarsh Yadav, L. L. M. "Article 21: A Comprehensive Journey Of Right To Life And Personal Liberty." *Indian Journal of Integrated Research in Law* 1.2.
- Unni Krishnan, J.P. v. State of Andhra Pradesh, 1993 AIR 2178

