Chapter - V

Conclusion and Suggestions

This is right in the sweet legislature has the right to life and personal liberty goes back to the Magna Carta period. England, a democratic institution wedded full confidence in the legislature, and the judiciary has to play a limited role. Absolute faith in the power of the legislature to provide affordable access to judicial review brought under the American Constitution was mixed. The model of life and personal liberty clause of the Constitution tow was before. In this regard, the experience of comparative constitutional jurisprudence of the English and the English model shows a mastery of the lodge.

In the Constitution. Along with the right to life and personal liberty guaranteed to live there. It is with life and liberty, property, freedom from the capitalist point of view points, which was included in the Constitution was the only American. 'Law' or 'due process and personal liberty is the right to life, without exception, one of the exceptions enumerated in the Constitution. The constitutional level, and thus the right to life and personal liberty to be filed initially in a limited access. It is interesting to note that the life and freedom is the right of the Constitution. Now coming to the international level. Forming part of the lives of individual freedom and human rights, the rights, the Constitution has not deviated from that experience was to enforce human rights have been an effective and powerful instruments.

Magna carta of human rights to life and personal liberty or personal freedom of action ride over the operation of the misaction shows a concern. There is also a political
party with the majority of the legislature, who ruled the country, the right to personal liberty, and especially the atrocities committed there. The right to a judicial control of the legislature and will be held accountable.

"No person except in accordance with procedures established by the law of his life or personal liberty shall not be denied.": Article 21 of the

Maneka Gandhi's decision earlier, in Section 21, only the citizens against the arbitrary right to life and personal liberty, and is not guaranteed to legislative action. This is a valid law can support his actions by the citizens of the state can not interfere.

Maneka Gandhi, but later decided to Section 21 of Executive action and not only individual freedom but protect the rights of citizens in the legislative process. If the terms of a person can be deprived of his life or personal liberty, first, to be a law, and secondly, the method, provided that the only fair and reasonable that, there is a procedure prescribed by law.

Celebrity provisions of Section 21 of the Indian Constitution, and as a basic right to occupy a unique place. It is the right to life and liberty of citizens and aliens personal guarantees and are enforceable against the state. Maneka Gandhi's case, a new interpretation of Section 21 of the right to life and personal liberty of the horizon is the beginning of a new era. The founding fathers of the Constitution to give the dimensions can not be visualized or that covers various aspects. 'Right to life' and 'personal freedom' of the modern name for what traditionally has been known as a 'natural right.' It is necessary for the development of the human personality is right primitive. Each of the other people all the time, because it is contrary to the fact that the only rational and moral
being that they ought to have the moral right. Like the chalk out of his own life, he better be able to make a man, which is a fundamental right. The right to life and personal liberty of India, is protected by the constitution of 1950 and 32, respectively, under article 226 to be issued by the High Court and the Supreme Court of India, the right one.

Maneka Gandhi, in the case of judicial activism and citizen control of corruption and the basic human rights with a view to ensuring that it can extend the reach of the law. Very few landmark cases, the interpretation of Article 21 has been changed, which will be discussed. The historical development of the modern interpretation of the right to life is one of constitutional law.

Delhi Pollution case, the Supreme Court, "the environmental balance of a healthy environment with minimal disturbance to the right to live" in 21 of the Constitution guarantees the right to life must be explained that in 1989, and "non-essential constraints without [people] and their cattle, house and agricultural land, and unnecessarily affection (SIC) of air, water, and environment. "

Charan in India sahu V. In the ruling Justice Kuldip Singh described the role of government to protect the fundamental right to expand on this idea: "It is the responsibility and obligation of the State to protect its citizens." Court to protect the fundamental rights of the government's obligation to protect the environment as it has. So, when the Supreme Court said, in real life infuse this article so broadly defined in Section 21. It is so meaningful to the lives of the citizens of the locus standi rule waived.

Thus, the Supreme Court the widest possible interpretation of the Article 21 and the right to live with human dignity in its ambit is included.
The right to life and personal liberty in this part of the test case in the Indian judicial system, which is shown to improve the interpretation of the latter method. Thus, 21 of the Constitution the right to life of a civilized considerably explains the meaning of the right to life, which has been extended by the Indian Supreme Court. Section 21 of the next part of the composition of the Indian judiciary interpreters and creativity in order to understand the meaning of judicial activism will be discussed.

So, even though in many ways it is the Indian judicial system, its judicial activism suppressed by applying a Savior of mankind, as it is becoming clear that evolved in the wake of all the above mentioned cases. The key is to expand the scope of application of Article 21. However, the delay in the delivery of the decision of the Supreme Court on the constitutional provisions of the friendly people of this Indian to win the trust of millions of people. We welcome all new evolution - the Indian Constitution jurisprudence

Parana a dispassionate judicial rulings based on the aforementioned, it is unremunerated, there is an implied, but judicially-evolved and the right to privacy guaranteed under the Indian Constitution. Meanwhile, the MP Sharma and Kharak Singh, the Supreme Court's rulings to deny the existence of the right to privacy, Govinda, Rajagopal and PUCL the small benches unmistakably indicate the existence of such a right. Judicial interpretation of Maneka Gandhi, most notably in the case of the transfer of satisfying the requirements as laid down in this right is recognized, subject to legal restrictions, which in the case of Maneka Gandhi, the following is observed. Right to privacy under Article 21 of the rewrite was to address the issue, however, if it concludes that the right to privacy exists that there is little doubt.
Kharak Singh as effectively overrule a bench so that a greater number of judges, unless such statements are not valid in law. Different points in time as the legal principles laid down by the Supreme Court's interpretation of a musical composition, it is enough to put an end to the existence of a right to privacy under Part III of the Constitution. Section 21 of the policy of "personal freedom," a freedom in the face of other people's rights which go to make up a compendious term to include diversity Kharak Singh said that, it was stated in Section 19 of Article (1). The menu can be regarded as a right of personal freedom, just to be fair and reasonable and that the second and third principles which would interfere with any law Maneka, have been laid down as a fundamental right, the right to the confidential nature of the fundamental and partakes of the recommendations of the Constitution assures that every person is an attribute of a person's dignity.

So it does not encroach on the rights of a person merely on the state of order, but a negative one will be able to effectively protect his private life that is not enough to create a positive affirmation of the state. Explained by an appropriate bench of the Supreme Court, the right to privacy, the rest of the judicial dispute may be settled, which has a strong constitutional Palace.

I only had the honor of her, protect her, the word 'dignity' to enable interpreters to maintain the dignity of the human being or the international convention and by inculcating in them that they have done a lot of people who would like to conclude by stating that this is the case. Status can not be enacted, some of which are, because it can protect the judiciary. And, also respect the human dignity of the individual, and as long as a legal or would be used to support the tyrannical and sadistic pain to use, abuse, neglect, exploitation, or other forms of persecution and suffering less from the political morality
of respect for the people you work with. Positive social goods and services, such as respect for people, food, clean air, an efficient and economical transportation system, embodying the claim for medical Potable water is defined as when some philosophical problems, however, may arise, adequate nutrition, and so on, means of livelihood. We have seen above that many claims can only be promoted.

After analyzing the various provisions of the code adopted by the Indian government in the inquisitorial system, the reflection of the nature of the adversary, but also can not be denied, however, that can be submitted. When dealing with this kind of system, the code provides a number of methods. Concerned about the basic elements of a fair trial as much as the other, the provisions of this material can be seen in a variety of loyalty code. But the real problem comes with the implementation of this provision. For example, one wants to resolve the case quickly, but the fact that the speedy trial provisions for minor offenses (aree the total number of trials published or produced, although the book for those who are languishing in jail under trial, around 1.7 million, that's all the legal issues around 2.45 lakh) and The triangular nature of the circumstances in which an adversary criminal system, the role of the suggestions are very important to set the maximum sentence.54 served in spite of a major part of the prosecution in this case, because it has the support of the investigation, because it represents the state, in a strong position. On the other hand, the accused person can only rely on his advice, for those who are a last resort to protect him from arbitrary and unjust actions may

Conjointly by the court to life and the right to access the personal Liberty interesting development in the area of a fundamental right guaranteed under Part III gave a new dimension. The world has been debating the permissibility of criminal
jurisprudence that the right to live, Apex and the location of the High Court level, the Indian judicial system to settle under the Indian Constitution. Voted in favor of the right to live in the Bombay High Court under Section 21 of the right to live as a fundamental right recognized by the Apex Court got the power. This is a country where poverty dominates Literacy lies on the boundary, this kind of abuse of fundamental rights, rather than the output may be beneficial that can be provided. It is the area of the judiciary is recommended that expansion will be slow.

The main problem is how to find meaning and effectively enforce its mandate to educate the public about their rights and forming part of the 'personal freedom.' Successfully developed the principles of accountability and apart from rendering the official judicial guidelines, the department is responsible for the proceeding for contempt of court and contempt of a High Court to be introduced to him for the punishment of those responsible will render. In addition, the courts and the general public as well as besides being shown on TV in the network to all of the great publishing and distributing pamphlets in local languages for all India Radio to broadcast the appropriate cases, require police and officials. This technique should not be used more frequently than the other.