CHAPTER: I

INTRODUCTION

The first and foremost right which is for not only human beings but of any living being is the right to life. All other rights plenarily depend upon this right because without life there can not be utilization of any other right. In present era the desideratum of this right is going develop. There are so many rights which are consequential to live life. Man can not live without their desiderata like shelter, victuals, cloth, dihydrogen monoxide as well as dignity. There is so much consequentiality to the human being of this right of life. Life comes first & then comes rights, so the right to life is very consequential than other rights.

Dignity of an individual stands very high in democratic country, because they constitute the ‘electrolytes’ whose represent a lives from the Regime. Therefore assuring of dignity of individuals through the right of equipollence & liberation is the foremost obligation of any republican State.

Absolute liberation would result in chaos, anarchy & ruin; whereas the absolute control over the liberty would result in tyranny. There must be striking balance between individual liberty & Verbally Express control over it. Such view was held by Mukharjee in case of A.K. Gopalan Vs State of Madras. Constitutional law surmises the role of Jas Naturale when it seeks to forfend a person’s most valuable of the fundamental freedoms, namely, ‘Life & Personal liberty’.

"Expression of life and continuing through the life of the animal or the drudgery of subsistence can do that. Right Livelihood its broad meaning, in combination with the standard of good hygienic conditions at work & leisure life" The Supreme Court held “that no person can live without the expedient of living or livelihood.

The right to livelihood is a component of the Constitutional right to life. Constitutionof India draws the “Right to life & personal liberty under Article 21 of the Constitution. The aim of the bulwark enshrined in Article 21 is not only to ascertain the human dignity of the person concerned, but to ultimately contribute for the achievement of convivial equity. After all, there can be never any advancement in a society as such unless its individual citizens have been in a position to relish the fundamental liberation of Life & personal Liberty.

Through the right to personal liberty is confined to Article 21 of the Indian Constitutionbut we can not proximate our vision to Article 21 alone. No Constitutional
provision can operate in isolation & be read as a self contained code. Each provisions the Indian Constitution has to be visually perceived in a harmonious way & in this rule of interpretation we have examine the right to personal liberty. This makes it compulsory to interlink & interrelate the other provisions of the Constitution including the cognate rights, the Directive principles enforcement of the right amendment of the right & the right as a component of fundamental structure. The Indian legislature made consequential contributions in the field of the right to personal liberty, rather at a time they have constructed its magnification.

The credit goes to the Indian Judiciary for expanding the scope of the right to personal liberty. An endeavor in the present work is made to highlight the contributions of the apex Court & the High Courts individual Judges & convivial action groups. After Maneka Gandhi the Judiciary has endeavored to put many incipient innovative rights in Article 21 which in fact do not find a place in any of the Article under Part III of the Constitution.

The right to live with human dignity is taken to mean the physical subsistence, but by the extent of the right to life of the Constitution as understood in its richness and quality of life not only embraces the plenaries. 5 Francis Coralie V. Delhi in the territory of Amalgamation 'communication with the outside world, but it is not uncommon for the measurement of the right to live the life of the soul, through which any faculty or the right to live with human dignity has been observed that it is not confined to the bulwark of the limb. Moving out of commingling with fellow human being Liberatingly & commixing, such as the appropriate Alimentation, habiliments, and shelter, reading facilities, inditing & have different ways of expressing ourselves the life of the bear song.

In Menaka Gandhi V. Cumulation of India 6 it has been held that the right to life includes all those aspects of life which go to make man’s life paramount worth living & consummate.

In case of Peoples Coalescence for democratic rights V. Coalescence of India 7 Supreme Court has held that non enforcement by the State ascendant entities of the provisions of labour laws. Ex. The minimum wages Act, The Employment of child, Rent Act etc is violative of the worker’s right to live with human dignity enshrined in Article 21.

In this case, many verbalizing Bhagwati, J. sundry workers employed by a contractor under the labor laws, rights & benefits conferred by any of the rights of workers pellucidly & lost & it is intended to be carried out to ascertain the workers in the basic human dignity of the benefits that would be a violation of Article 21 of the limpidly.
In Bandhua Makti Morcha v. Amalgamation of India the Supreme Court has held that right to life should be taken to mean right to live with human dignity liberate from exploitation. In case of Chameli Singh, the Court observed in this connection in To live as a man no organized society for the right to develop himself assured of each facility and magnifier enables, which is exempt from the ban, only when it is safe human animals desideratum insurance is not complete.

Right implicatively pabulum, dihydrogen monoxide, decent environment, inculcation, medical care and shelter to any insinuates right to live in a civilized society grants. For any civilized society kenned rudimental are human rights.

In the board of Trustees of the component of the right to life ensured by Article 21 includes the right to livelihood.

In Olga Tellis v. right to livelihood in the Bombay Municipal Corporation living a good life that can live without good as any person of the right to life is bored out. It ended the right to livelihood point shall be deprived of his livelihood, a part & parcel of the constitutional right to life, of his right to life of a person criticizes is not the simplest way.

Premature only livelihood of the content of its strength and its energy content and meaningfulness of life, life was not denude, but to keep it infeasible to life and still life are of such premature if not in accordance with the procedure established by law livelihood there will be a component of the right to life is not regarded.

To be left alone, which makes it possible that the court expressed orally & Rosie on the close relationship between life on Accentuating life livable life should be considered an integral part of the right to livelihood and you shall be deprived of his life.

Article 21, freedom from exploitation, the right to live with human dignity. He was part of the society's relationship with another lame and unable to fight a fierce and powerful opponent licit polarization against the violation of any right of any person, means that robbed him of a constitutional mandate, essentially. The Directive Principles of State Policy Regime & State Regime two, so that a life of workers in accordance with the law of the fundamental human dignity of Parliament for the purpose of securing the welfare of sundry & convivial bound to ascertain the observance of labor laws.

A right to high noise level exposure of that person must be a clear violation of the constitution is equivalent to the human personality & Court held not show the negative impact of noise on human beings, the courtroom scientific study rely on a mechanical contrivance is associated with quality and noise levels are also protected right to a safe
environment, according to Article 21 of the Indian Constitution guarantees the right to life was full of assurance.

The discharge of pollution and noise has been giving the right to live in an environment guaranteed by Article 21 of the Constitution, "the High Courts have been brought to our notice by the distribution of the decision. These decisions are Sugar Free licit avail of the cell Sri Chand Aggarwal alias of NCT of Delhi & others Bhagatji V. Govt\textsuperscript{13}.

Article 21 guarantees to all persons (citizens or non citizens) The right to life, liberty & individual. That any person deprived of his life or personal liberty except according to procedure established by law, to provide the committee. The Supreme Court Vidya Varma V. Shiv Narain\textsuperscript{14} has made it clear that Article 21 only applies to the State & therefore the right to life or personal liberty under secular law has been breached by a private person to seek compensation for his deprivation of personal liberty of a person's life.

**Definition of Article 21:**

"Except according to procedure established by law for any person deprived of his life or personal liberty."

**To whom available:**

Article 21 guarantees the right to life and personal liberty and individual (citizen or non-citizen), Article 21 of life and personal liberty and the right to the addition of non-citizens is sure, but that is only available for citizens.

**Against whom available:**

The bulwark of Article 21 is available only where Article 21, thus applies only to the deprivation of life & personal liberty is infringed by private individual is required to seek his remedy under mundane law.

**Right to die not included:**

In the case of P. Rathinam V. Amalgamation of India\textsuperscript{15} the Supreme Court has held that right to live includes right not to live a coerced life. It includes thus right to die.

Consequently Section 309 of the Indian Penal Code which provides penalization for endeavor to commit suicide is violative of Article 21 & therefore it is void. The Supreme Court has made it clear that the right not to live do not betoken the right under Article 21 can be waived.
It is to be noted that the Supreme Court in the case of Gian Kaur\(^\text{16}\) has overruled the P. Rathinam’s case\(^\text{17}\) & the Court Article 21 ensures the right to life and the right to die in the Indian Penal Code 309 is not included in this section is created that is not a violation of Article 21.\(^\text{16}\)

Knowledge Kaur\(^\text{18}\) Supreme Court in the case of Article 21 by any stretch of the imagination to life and personal liberty and canopy management extinction of life, life sure can be read free to join, that is held. Right to life is a natural termination or extinction of life & therefore in compatible & inconsistently erratic with the concept of right to life.\(^\text{19}\)

The 42nd report of the Law Commission (1971) recommended that such 309 penalizes an endeavor to commit suicide as rigorous and unjustifiable & it should be repealed. The Bill The Bill lapse and no attempt has yet been made, but Section 309. interlocutory IPC Was introduced in 1972 to improve.

Right to dignity applicable to body postmortem:

In a case\(^\text{20}\) the Supreme Court has made it clear that the right to dignity & equitable treatment under Article 21 is not available only to a living man but withal to his body postmortem. Para 873 of Punjab Jail Manual provides (1) The body will be suspended for half an hour and by the medical officer declared extinct life will not be taken down; (2) Superintendent of the sentence has been carried out in this case, to verify the effect that verify the effect of applying execute warrants will return to live with warrants will be back\(^\text{21}\), the Court has made it clear that the only obligatory part of this Para is that the Condemned person has to be declared dead by the medical officer & as anon as it is done the body has to be relinquished from the rope.

But the right to livelihood can not be elongated so as to include all sorts of claims to licit or contractual rights.\(^\text{22}\) or a claim for increase in the salary on the ground that it was indispensable to live with dignity.\(^\text{23}\) The Right under Article 21 does not include the right to carry on trade or business\(^\text{24}\) But a requisite that an employee of national carrier (airline) can not be employed by another airline without first obtaining a no-remonstration certificate from the employer is not violative of the employee’s right to livelihood\(^\text{25}\). Yet the right cannot be elongated to direct ad-hoc employees of the State to be made sempiternal. In the guise of up holding the right under the Article a set of persons cannot be preferred over the prodigious majority of people waiting for an opportunity to consummate in public employment. The right to life cannot at the present juncture include within its Scope the right to public employment\(^\text{26}\).
Right to life – includes reputation

The right to reputation auricularly her natural equity, and contravenes the principle of action and as a result of the absence is set as well thinking about any person probe by a commission of the right to life under Article 21 of adverse comment is an aspect of 28.

Fundamental Rights to foreigners:

A Mr. Louis De Racdt 1966 and for a short period in 1973, he went to Belgium and a Belgian passport and stay in India twice postponed after excepting 1937 has always been living in India. National peregrina, the petitioner India in conjunction Louis De Reall V. was the Supreme Court, challenging the order of expiation, July 31, 1987 & was asked to leave the country.

The Supreme Court, which only applies to foreigners under Constitutionis Fundamental Rights and Article 19 (1) (e) is mentioned in, does not have the right to settle in India, including in the stream for life & liberty 21 is avoided, which held that a citizen of this country and the interim government have an unrestricted right to expel foreign.

Right to life & liberty available to non citizens

In the case of Chakmas in Arunachal the all Arunachal Pradesh Students Amalgamation AA PSU, a student organization of Arunachal Pradesh issued an ultimatum to the Chakmas residing in Arunachal Pradesh to quit the State within the date fine-tuned by them. The National Human Rights Commission took the matter to the Supreme Court in a Public Interest Litigation under Article 32 of Constitutionseeking enforce the rights under Article 21 of the Constitution.29 The Supreme Court issued the direction to the State of Arunachal Pradesh to ascertain that the threat by the student’s organization is repelled by with force & the life & liberty of Chakmas residing at Arunachal Pradesh is bulwarked.

Court Constitutionconfers our citizens certain rights, every person like Law & Law auspices afore noted that parity is entitled to. So stay, "No person except according to procedure established by law and his life may be deprived of personal liberty. Every man, he is a citizen, or the other and it someone or a group of persons can not accept the "life & freedom is associated with forfend e.g. the AA PSU to threaten the Chakmas to leave the State, failing which they will be coerced to do so & Verbalize Regime worth the denomination can abide such a threat by any group or groups of such persons.

Right to life - it’s paramount
The expression 'right to life' is something more than just the animal will be used for designated as 'life' from the word has been given a very large structure. All the organs in the abdomen to become life & its lack of resistance against the faculty. The provision of the body or the amputation of an arm or leg amputation distance of the body, disability or equipollent.\textsuperscript{30}

The expression ‘life’ is something is something more than more animal esse & thus it is not circumscribed to bodily restraint or confinement to prison only.\textsuperscript{31} The legs, arms etc. to capture all of his organs like the right to the right of a person only should not be taken to mean.\textsuperscript{32}

**Historical background of Right to life & personal liberty.**

Whenever the Constitutional law academics start discussion with veneration to right to personal liberty, they initiate discussion with the dawn of the British period but the fact is that the concept of personal liberty subsisted in the archaic India.\textsuperscript{33} There are evidences to fortify the view that liberty of one’s body & dwelling house subsisted in the antediluvian times. The antediluvian texts like Rigveda,\textsuperscript{34} Mahabharata\textsuperscript{35} are plenary literature to bring home the conclusion that the principle of liberty was deep rooted in the antediluvian Indian society.

**Edicts of Ashoka**

Edicts of Ashoka of the Mauryan Dynasty in 269 BCE to 231 BCE, during the reign of Emperor Ashoka, who in his 33 inscriptions on the pillars of Ashoka, as well as an accumulation of boulders & caves, walls, there. The mandates of modern Bangladesh, Nepal, India, Pakistan & in & out of the first tangible evidence of Buddhism represented by the dispersed. According to the edicts, the extent of Buddhist proselytism during this period reached as far as the Mediterranean, & many Buddhist monuments were engendered.\textsuperscript{36}

Ashoka Dhamma preached by the other, altruism and respect for accuracy, good work on predicated, in a period of moral percepts mainly explained.

**Ashoka’s Concept of Dhamma:**

He thought with its people & live way tried to transmute his people, and he's trying to make life better for his vigorous used.

According jabarana, Ashok outbreak of medicinal treatment, utilization across the road for more comfortable facility ameliorating, peregrinate and faith, "the official establishment
of his subjects (human and animal) and that are beyond the commission's welfare Great take
care of the population of the area and to the welfare of the propagation of Dhamma survey.
Ashoka & custom sentenced prisoners pardoned in the application of the equity, and
tolerance for neutrality in the exercise of caution prisoner showed great munificence.

**British Period:**

In the British Period the right to personal liberty was at the dormant stage. The laws
were enacted empowering the executive to deprive the citizen of his liberty at its own
caccharine will. As early as 1793 the East India Company Act sanctioned the Governor of
Fort William to death any citizen on suspicion that he was carrying on any illicit correspond
perilous to the placidity & safety of the British Settlement In India. This was followed by the
Bengal State Prisoners Regulation 1818 37.

Sanctioning detention of any person in the interest of public tranquility & security of
the State. At that time the people wanted same rights & privileges that were relished by the
Britishers. This desire of the Indian People National Congress in 1885. The Indian National
Forms of kineticism heralds the ordinant dictation of Fundamental Rights appeared in the
Constitution of Indian Bill & withal in the series of Congress resolutions adopted between
1917 & 1919.

A systematic approach with veneration to the Fundamental Right to the liberty
commenced with the Nehru Report 1928. It contained a chapter on Fundamental Rights
which, inter alia, verbally expresses, No person shall be deprived of his liberty, or property,
by law, to preserve his dwelling or to be executed or entered foreclosure. 38

The above injunctive authorization of the people of India was repudiated by the
British Regime as the Regime of India Act 1935 contained no declaration of fundamental
liberties. It may be noted here that the auspice against illicit apprehend & detention was
available under the writ of habeas corpus under the code of Malefactor Procedure 1898.

An endeavour was made by the rule made under the Bulwark of India Act, 1939, to
provide for the puissance of detention & to keep it beyond the judicial review.

The Federal Court invalidated the above rule in Kesav Talpade V. Emperor39 &
held the rule was ultra virus. In order to eliminate the effect of above decision the Governor
General issued the bulwark of India (Amendment ) ordinance, 1943, which was again
challenged in king Emperor V. Sibnath Bannerjee 40 The Federal Court maintained that the
detention order could be issued after contentment of the Provincial Regime. The Privy
Council in appeal did not concur with the view of the Federal Court that the Govern or must
be personally gratified every order of detention (1943) 6 F.L.J. 28, the Privy Council withal treated Kesav Talapade’s case as an erroneous decision on this point.

However it overruled the contention of the crown that the Court had no puissance to investigate the validity of the detention order\textsuperscript{42} above ordinance of 1943 was again amended by ordinance. 3 of 1944 in, order to confer the potency of detention by the ordinance it self in lieu of by rules & to take away or limit the puissance of High Court to issue hebeas corpus in such cases.\textsuperscript{43}

The ordinance was challenged in Basant Chandra Ghosh V. King Emperor.\textsuperscript{44} where the main question afore the Federal Court was whether the incipient ordinance deprived the High Court of the puissance under Section 491 of the code of Malefactor Procedure. The Federal Court ruled that the ordinance neither took away this puissance from the High Court nor did it repeal Section 491, the Court further held that Section 10 (1) of the ordinance which conferred power of detection did not establish any substantial vicissitude in the licit position\textsuperscript{45}

It may be pointed out that the executive all along made endeavors to deprive the Courts of their potency not only of judicial review of the detention cases but additionally to grant the remedy under Section 491 of the code of malefactor procedure. But the Courts in India consistently resisted & failed the endeavors. In this mission of the federal Courts the Privy Council additionally joined hands.

In 1919 satisfying the Montague-Chelmsford Reforms & MK Gandhi in the Indian independence kineticism to elevate the importance of articulating the demand for civil rights pose a transmutation of bellwethers its mark on the side of the First World War experiences, the focus shifted from the authorizing injunctive assuring freedom for all Indians to the British between India & Status equipollence.

According to the liberation of the individual liberty of conscience, freedom of expression, assembly liberation of non-discrimination on the ground of sex, Free Elementary Guidance & Free - Annie Beasant in 1925 by the Commonwealth of India Bill, strong demand for the seven basic rights are not included in the utilization of public spaces in Article 21 of the States: in 1927 "INC India on the base of 'Swaraj Constitution' Sentinels of the framework set up to offer a solution that is secure against the oppression of the rights of the advertisement. Motilal Nehru led the 11-member committee, in its report, has insisted the Indians in 1928, including the Fundamental Rights guaranteed, recommendations.

The rights that are adapted to the post-war European countries reflect those of the American Constitution, the Bill & many of them were adopted from 1925. In 1931, after
many of the provisions of the Constitution, including the Fundamental Right & Principles.46 sundry parts of the directive, in the replica, the Indian National Congress, at its meeting in Karachi, Civil Rights & Finance Bulwark also adopted a resolution committing the land reforms, the terminus of the work of putting convivial Providing security & implementation of the objectives expressed in the words of liberation.

Other first rights offering convivial Security & land reforms, the resolution proposed. The resolution proposed by the other tribes of the rights to the enjoyment of the macrocosmic adult suffrage, and the abolition of the liberation movement of capital, there are penalties.47

Thus the Scope of liberty was regulated by law & the State marginally paid much attention for the aegis of the people’s liberty. The Courts surmised in favor of Constitutionality of every Governmental Action which deprived man of their personal liberty on the ground of expediency.48

Framing of India’s Constitution:

The Constituent Assembly was constituted to frame a Constitution for free India designates independent India designates independent India in 1946. In September, 1946, the Constitutional advisor Sir B.N.Rao issued two notes on Fundamental Rights on December 23, 1946 K.T. Shah additionally sent a comprehensive note on the Fundamental Rights to the President of the Assembly. Three drafts were yare by Shah, Munshi, and Dr. B.R.Ambedkar. Shah’s note in clause 52 deprived no one shall be deprived of life, limb or property except under the due process of law. In his opinion the Fundamental Rights of citizens & of human being in civilized society were not absolute & unconditional.

The Munshi’s draft in its chapter on rights to liberation contained a clause which verbalized “no person shall be deprived of his life liberty or property.”

The Dr.Ambedkar’s draft withal included a provision, The State shall not deprive any person of life, liberty or property without the due process of law. Thus at initial stage the wave length of the American liberty clause dominated.

These notes were considered by the sub-committee on the Fundamental Rights & it included in its draft report two clauses 11 & 29 as follows50:

11) A person without a proper process of law in his life will be deprived of liberty or property.

29) No person shall be subjected to perpetuated detention preceding tribulation, to exorbitant bail or intransigent refusal there of or to inhuman or cruel penalization.

B.N.Rao pointed out that clause 11 had been adopted from the 5th & 14th Amendments of the U.S.Constitution, while commenting on the draft report. Sir B.N.Rao was
the well vigilant of the American experiences as he pointed out that “in the first a moiety of the twentieth century” 40 % of the litigations in the American Supreme Court Centered around the interpretation of the expression “due process”. He withal pointed out the ambiguity in defining the words “due process” as possibly no precise definition could be given to this expression. According to his opinion the result of borrowing such a clause for the bulwark of private property.

It reaffirmed its recommendation for incorporating clauses, when the sub committee on Fundamental Rights met on April 14 & 15, 1947. The clause 29 was effaced without any discussion presumably afore the Advisory committee because the committee felt that the expression “due process of law” was wide enough to cover the contents of the other clause. The clause 11 was renumbered as clause 12.

All avail Krishnaswami Ayyar, while commenting upon clause 12, expounded the uncertainties of interpretations to which the phrase “due process of law” would probably give elevate. He pointed out the difficulties in interpretation of the words “due process” by the American Supreme Court & contained against the peril of its standing in the way of what might be called expropriator legislation. He concluded his explication with the remark that he him self was not against the inclusion of the phrase but he wanted the committee to be alive to its implicative insinuations.

This view evoked vigorous apposition to the utilization of phrase due process of law from Govind Vallabh Pant who said that the expression should be eschewed as it was equivocal & capable of divergent interpretations. Its retention might betokens that the future of the country was to be tenacious not by the collective sapience of the representatives of the people but by the whims & vagaries of lawyers elevated to the judiciary.

B.N.Rau had discussion with Equity Frank Further of the ‘United States, Supreme Court during the visit to the’ Amalgamated States, who was of the opinion ‘that the potency of vetoing legislation into law, which includes representatives of some of the Judges of the Nation, but because of the addition of the Judiciary threw a disproportionate burden "due process" clauses are not only undemocratic. Except according to procedure established by law view that the expression 'with' without due process of law, "the expression of reaching the transmutation of lead to the introduction of the clause was communicated by the Drafting Committee of B N Rao’.

The Committee considered the second of its import more categorical expression borrowed from Article 31 of the Japanese Constitution. Appeared in the text of the draft law back to the committee was incorporated in Article 15 of the Constitution.
“Except according to procedure established by law that no person shall be deprived of life and personal liberty "within the territory of India or any person the equal protection of the law or the law of the shield previously determined equipollence gainsaid.

The Constituent Assembly

The respective merits of the expressions “due process of law” & “procedure established by law” on December 6, 1948, when it came up for consideration on the Assembly there were about 20 amendments, most of them seeking to supersede the latter by the farmer of a kindred expressions. These amendments could be divided into three categories & one of them in each category was sanctioned to be moved. First was to adopt the expression “Without due process of law to any person shall be deprived of his life or freedom.” This amendment was advocated by Mr.Karimuddin in the Constituent Assembly. Second was preserving in accordance with law which was argued by Mr.Mahaboob Ali Baig in the Assembly. In the third category came without due process of law. Which was advocated by Pandit Thakur Dass Bhargava, C.C.Shah, K.C.Sharma, H.V.Pataskar, and K.M.Munshi & Z.H.Lari?

In the Constituent Assembly discussion reveals three opinions on Article 15, One was the American Model ensuring life & liberty of the individuals which could be curtailed according to the Court notion of due process. This view was pressed by Kazi syed Karimuddin & Pandit Thakur Dass Bhargava which gained support from C.C.Shah, K.C.Sharma, H.V.Pataskar, and K.M.Munshi & Z.H.Lari. Due process was fortified by those members on one or other grounds if the Article was sanctioned to stand as it was, it would open a woeful chapter in the history of Constitutional law, was the opinion of Kazi Syed Karimuddin. He wanted to obviate the incursion of individuals liberty by the political parties that came into potency. Pandit Bhargava initially concentrated his arguments to the general connotation of the world law betokened an Act enacted by the Legislature where as Dicey’s law of the land in the Japanese Constitution & other Constitutions designated macrocosmic principles of equity. He conceded the arduousness in defining the words “due process of law”, as it was not defined anywhere however, to him the expression betokened that, the Courts may be sanctioned of the substantive law as well as procedural law.

When an enactment is enacted according to the amendment now proposed to be passed by this house the Courts will have the right to go into the question whether a particular law enacted by parliament is just or not whether it is good or not whether as a matte of fact it forfends the liberties of the people or not Mr.Bhargava gives opinion that law connotated
both procedural law as well as substantive law. Replying to the argument of vagueness of the expression due process of law is replied that there were many words which had not been defined & the word law itself had not been defined in Constitution which found a place in the both expressions.\(^57\)

His argument of judicial review with the utilization of word plausible in Article further fortified by the honorable member. According to Mr. Bhargava by virtue of the word plausible in Article 13, 70% of the Acts concerning other liberties would be coming under the jurisdiction of Courts & the Court would be competent to adjudge the validity of such laws on the ground of their reasonableness. He pleaded on the same analogy for the inclusion of the more paramount right to life & personal liberty under the Courts jurisdiction. He concurred with Mr. Mahaboob Ali Baig that we could affirm either the adoption of all pertinent process was accepted.\(^58\) In the opinion of Pandit Bhargava, the purport of this amendment was to preserve the people from the tyranny of both the legislature & executive which he explicated in the following words.

In fact two aspects for our liberties, one is the legislature & the other is the judiciary. But even if the Legislature is carried away by party spirit & is sometimes panicky the judiciary will preserve us from the tyranny of the legislature & the executive. He further pointed out:

In a democracy the Courts are the ultimate relucit of the citizens for the vindication of their rights & liberties. I optate the judiciary to be exalted to its right position of palladium of equity & the people to be sure in their rights & liberties under its protective wings.\(^59\)

The amendment fortified by Shri. Chimanlal Chakkubhai Shah\(^60\) that the words without due process of law should be substitute for the words, on the ground first, in American Constitution most of the legislations & uncertainties were concerned with the congruously clause.

Secondly, the word ‘Liberty’ was integrated with the word ‘personal’ to eschew the liberty of contract or anything of that kind. There fore according to the learned member it was erroneous to verbally express that the due process of law was liable to lead to any dubiousness legislation or nonessential interference by the judiciary in reviewing the legislation.

Shri. Krishna Chandra Sharma\(^61\) additionally argued for the inclusion of the expression On the analysis of sundry decisions of the American Supreme Court he concluded that there was tribulation which included\(^62\)
A fair tribulation must be given the Court or agency which takes jurisdiction in the case must be duly sanctioned by law to such prerogative third that the defendant must be sanctioned on opportunity to present his side of the case & fourth that certain assistance including counsel & the confronting of witnesses must be elongated. These four fundamental points guarantee a fair tribulation in substances.

The expression ‘due process of law’ fortified by Shri. H.V.Pataskar to obviate the assailment of political party prejudices on personal liberty.

Shri. K.M.Munshi\textsuperscript{63} pleaded for the words “due process of law” because it the clause stood as it was; it had no designation at all. He pointed out that a balance must be struck between individual liberty on the one hand & gregarious control on the other. He acceded with Mr.Shah when he argued that we had made drastic vicissitudes in the American clause by omitting the word property & restricting it to liberty of the person, as to the denotement of ‘due process’ he verbally expressed.\textsuperscript{64} This clause would enable the Courts to examine not only the procedural part, the jurisdiction of the Court the jurisdiction of the legislature, but withal the substantive ‘law’.\textsuperscript{65}

According to his opinion, it is the only way by which the balance would be struck between the individual liberty & convivial control.

Third was Japanese model from where the expression ‘procedure established by law’ was habituated by the Drafting Committee. In that Constitution other safeguards of liberty were ensured in several Articles\textsuperscript{66} to assure fair tribulation procedure.

Mr.Mahaboob Ali baig pleaded for all those safeguards of the right to access to Court, right of detenue to be apprised of charges & aegis against illicit searches into our liberty clause to provide for an opportunity of auricularly discerning.\textsuperscript{67} After long discourses in Article 15 in the Assembly two sharp perspectives emerged. One perspective was for the ‘due process of law’ & the other was that the subsisting phrase ‘according to the procedure established by law’ was sufficient.\textsuperscript{68}

When Dr.Ambedkar was asked to reply on this Article he found himself in marginally arduous position.\textsuperscript{69} this is evident from his following observation.

Come to any definite conclusion it is very difficult. Both sides are at risk. Party to the man himself, that can be packed into law the possibility of a state can not omit abrogate or infringe when we regard as certain fundamental principles affecting the life & liberty of an individual. Concurrently, I visually inspected by the Federal Constitution or in the Supreme Court and their own individual conscience inequitableness or prejudice a client of the law
sitting five or six gentlemen is good and which is bad law, that law is to find reliedo not understand.

After elaborating both points, Dr. Ambedkar, it seems was so much confounded that he could not come to any definite conclusion & left the matter to be decided by the House by vote, when that Article was put to vote the amendment for ‘due process of law’ was negative. Thus the Article as passed by the Drafting Committee was adopted by the Constituent Assembly & composed part of the Constitution of India. The clause by clause consideration of the draft Constitution taken up by constituent Assembly on November 15, 1948, was concluded on October 17, 1949. It was again referred to the drafting committee for incorporating the amendments & revision. At this stage the equipollence provision was disunited from Article 15 & it was renumbered as Article 21 which now read as:

“No person except according to procedure established by law deprived of his life or personal liberty will be.”

The Constituent Assembly commenced the third reading of the Constitution on Nov.1949. It was not a clause to clause but general discussion. No amendment was made in the revised draft Constitution Dr. Ambedkar valued the liberties ensured in the Constitution by issuing a caution that they should in no way be laid at the feet even of great men. Dr. Rajendra Prasad, the President of the Constituent Assembly verbally expressed that a democratic Constitution was yare for India & its great working would depend on men on caliber ability, veracity, integrity & characters.

Object Article 21: Bulwark of personal liberty

1. In accordance with the provisions of Article 21 item & Executive protect by law to encroachment on personal freedom there of

2. A person of his life or personal liberty strict legislation previously lost through the process, should be followed & must not be departed from to the disadvantage of the person affected

3. Prior to the decision in 1978 in Maneka’s case Article 21 was construed narrowly only as an assurance against executive Action unsupported by law. But Manekas case opened up an incipient dimension & laid down that it imposed a constraint upon law making as well namely that while prescribing a procedure for depriving a person of his life or personal liberty it must prescribe a procedure which is plausible fair & just.

4. In each case where a person repines of the deprivation of his life or personal liberty the Court in the exercise of its Constitutional power of judicial view has to decide whether there
Meaning of the concept:

Article 21 of the Constitution came up for interpretation number of times afore Court & the Supreme Court dealt with each aspect of Article 21 exhaustively & from a reading of those decisions the following ingredients emerge.

Person:

It is pellucid from a bare pursuing of the Article that the aegis elongated by it covers all ‘persons’. In other words the expression of person is not perpetuated only to citizens but elongates to every person regardless of nationality or the circumstances in which a ‘person’ is placed. This implicatively insinuates that the bulwark ensured under Article 21 elongates even to persons who are undergoing confinement in jails. A prisoner does not lose all the Fundamental Rights belonging to all persons under the Constitution merely because he is convicted & confined. Therefore the right under Article 21 of the Constitution can withal be pressed into accommodation by a prisoner as regards his right to liberation of expression, reading & inditing, right to acquire, hold & dispose of property & right against discrimination.

In Article 367 (1) of the Constitution Section 3 (42) of General Clauses Act can be pressed into accommodation in so far as the definition of ‘Person’ is concerned. As per the definition of ‘Person’ in General Clauses Act that expression includes not only a natural person but additionally a juristic person a deity or Guradwara.81

Another paramount question regarding standing to sue is whether the ‘person effected’ alone can claim the right to personal liberty or any other person can initiate the Action on his behalf. Under the Anglo- system a person who suffered injury has to locus standi or standing to move the Court for judicial redress. Such a law was developed essentially to suit the individualistic society. The above rule of locus standi engendered.

The liberalization of locus standi in the matter of disadvantaged people was elongated in the S.P.Gupta case to any member of the public acting Pro-bon Public Co. Under this rule a gregarious action group.83

Bulwark against Whom:

A) State Action: The bulwark under Article 21 is available against ‘the State’. Article 12 defines ‘the State’ which includes in the first place, Regime & India & Regime & Assembly, the parliament of each of the states. Secondly, it includes all local or other influential organizations. In Ajay Hasia the Court held that the expression ‘other Authorities’,
included an instrumentality or agency of the Regime. Now the term ‘State’ included even a company registered under Indian Companies Act or a society registered under the Societies Registration Act. (Id) The above development will be applicable to Article 21.

B) Private Ads: Fundamental Rights are generally available against State. However some of the socio-economic rights ensured under part III of the Indian Constitution are available against private individuals additionally. The question whether Article 21 is available against private acts for the first time reached afore the Supreme Court in Gopalan’s case where the opinion of Court was that Equity Patanjali Sastri held that the aegis against infringement of the rights by individuals must be sought in the mundane law.

In the case of M.C. Mehta’s a paramount question came up whether a Private Corporation could come within the ambit of Article 12 & thus be subjected to the circumscriptions of Fundamental Rights? The Court could not make a definite pronouncement on the issue of the State but it subjected the Private Corporation to the inhibition of Article 21

**Deprived:**

The second ingredient of Article 21 is that the verbally expressed Article comes into picture only when there is deprivation of life or personal liberty of a person. The term ‘Deprived’ comes for consideration in the famous case of A.K. Gopalan V. State of Madras In the verbally expressed case Supreme Court held that Article 21 gets attracted by only in case of deprivation in the sense of total loss & that the verbalized Article had no application in case of restriction upon the right to move liberatingly. This designation came to be modified by later decisions of the Supreme Court in Kharak Singh V. State of U.P. the Supreme Court held that Article 21 would require ascendency of law even for restrictions on personal liberty & in Kiran V. Govt. of A.P.

The Supreme Court held that deprived does not denote that the Court is powerless to interfere. When there is imminent threat to the liberation of life or personal liberty & that it must be some direct & tangible Act which threatens the feelings of life of a person, member of community. In the light of the above expanded interpretation given to the term deprivation it can be verbalized that in cases of interference with the liberation of a person Viz. visit by the police at night interference with the right of prisoners in confinement, to publish a book or any other restriction imposed while in confinement, but not sanctioned by law would magnetize Article 21 of the Constitution.
Life:

The term ‘life’ as utilized in Article 21 of the Constitution of India designated something more than mere animal subsistence not only the physical breathing Act. During the life of the expression in Article 21 has been interpreted rather liberally & broadly the Supreme Court's interpretation of life are expensive. FIELD J referred to the judgment of the court of the classics. Somehow the word is used more and more by 'life' on the denouement of this term will be an American case, the animal is more than betokened. Which include the lack of resistance against the life of its faculty to all the circumscriptions & elongates.

Equipollent rule body or an arm or leg amputation or an eye perceiver or any other organ in the body by the Spirit communicates to the outside world of the disability precludes putting out ravagement... by the term liberty, as utilized in the provision, Physical restraint or something more than just freed from the bounds of prison.Bhagwati J. referred Francis Coralie has been observed.

We reserve the right to life & it goes along, namely, the reading head & facilities such as adequate fuel, clothing & shelter, the life of the bare necessaries inditing & cerebrate have the right to live with human dignity is expressed in different forms moving about liberatingly & commixing & co-mingled with fellow human beings in the law.

Resistance against the deprivation of life, all of which can become life so that the faculty will magnify.

94 P.Rathinam V. In the case of India, the cumulative value of life as defined by the Supreme Court:

“The right to live with human dignity & drudger does not permanent. It takes within its fold, extending the concept of the life of the person concerned tradition, culture & heritage that makes life worth living civilization & some of the fine.

 Builders V. Narayana, the Supreme Court in the case of SAR Shati Khimalal Totame95 habiliments live under the right to life, a good environment, the right to life under Article 21 & acceptable accommodation would have to be examined. Distinguishment a desideratum of animal & human animal is to be considered for the shelter, it is a human body, it is the encouragement of the bear, which grow in all aspects of the physical consented & perspicacious sanctions is to be able to provide timely.”

Francis Coralie 96, the Supreme Court does not connote physical or lost animal in Article 21 of the expression 'life' has happened, but something more touching. We have the right to life, the right to live with human dignity, such as the head of the appropriate celebrate & Alimentation, fashion & shelter, as well as in life, they all go bare desideratum.
Article 21 of the Supreme Court in the case of the word 'life' is not limited to only one person will be composed of the animal. It is not just against the deprivation of life & life becomes something to stem the rise of all the objections & elongates refers to the faculty. Embodied in Article 21 of the amplitude & 'right to life' sweep wide & is far reaching. It has taken more than a distance, but not my only life can not be extinguished.

Samatha V. Andhra Pradesh, 98 in Article 21, 'life' is not just a breath of physical activity has been observed that This has been apperceived by the Courts. In fact as philosophers tell us life is lived at many calibers. Rig may verbalization, gives details of a congruous. (Rig Veda soaring high in the sky, which is compared to a bird) to motivate the soul or fills the mind with verbalization. 'Gandharva' (mind), it is the heart, and then moved enlightened verbalization aurally knew the words that can be, takes shape. A further feature can chase it. 'Life' of the outside of your place of work, whiles an internal, unseen, unperceived saragarami expression, which is indeed authentic life, the life of a man.

Article 21 of the judicial decision not to embark on such an analysis in depth that is true. However, the width of the right to life are taking note. What follows, is a brief narration of this wide approach. It has been apperceived that the mere right to life (Article 21) denotes more that the right to accommodation. In D.B.M. Patnaik V. State of Andhra Pradesh some prisoners challenged some restrictions as contravening their right under Article 21.

The Supreme Court Verbally expressed that a convict is not denuded of all his Fundamental Rights. Confinement after conviction is bound curtail some of his rights ex. liberation of verbalization or kineticism, but certain other rights ex. the right to hold property, could still be relished by a prisoner.

The Supreme Court has verbalized in R.M. Makani V. State of Maharashtra with reference to Article 21, that the telephonic conversation of an innocent citizen would be forfended by Courts against wrongful or high-handed interference by tapping of the conversation by the police.

There are a host of Fundamental Rights indirectly from implicatively 'life' concept into widespread in recent years.

Law:

The form ‘law’ in the sense betokens that law enActed by the legislature. It will not bear the indefinite meaning of natural equity. Law in Article 21 cannot include nebulous & dubious concepts such as “the immutable & macrocosmic principles of natural equity.” Article 21 denotes positive or State made law. The word ‘law’ must be construed to mean not only a law made by a legislature but withal an ordinance. If an ordinance is not a law
under Article 21, it will be relinquished from the wholesome & salutary restraints imposed upon the legislative power by Article 13(2) of the Constitution.\textsuperscript{104}

In Kharak Sing V. State of Punjab\textsuperscript{105} the Supreme Court held that the executive decisions without having the sanction of any statutory power cannot be construed as law within the construal of Article 21 of the Constitution. In other words, an executive order without the fortification of valid law depriving a person of his personal liberty cannot be held valid.

Whether an ordinance is a law was the issue posed afore the Supreme Court in A.K. Roy V. Coalescence of India \textsuperscript{106} The question posed afore the Supreme Court for consideration whether the National Security ordinance 1980 promulgated by the President of India providing for preventive definition can deprive a person of his personal liberty as Article 21 does not cover ordinance. Law according to Article 21 is an enacted law by the Legislature.

The Court after drawing reference to Article 13 and Article 367 laws in Article 21 would include ordinance but the same is subjected to the inhibitions of Fundamental Rights like the other enactments of the legislature. The Court reasoned that Constitution makes no distinction in principle between a law made by the Legislature & an ordinance issued by the Legislature & an ordinance issued by the President of India. Both are equipollently the products of exercise of legislative power & therefore both are equipollently subjected to circumscriptions which the Constitution has placed upon that power\textsuperscript{107}

**Personal Liberty**

The next consequential expression is ‘personal Liberty’. This expression is of the widest amplitude & it includes sundry kinds of rights, like right to locomotion, right to peregrinate abroad, right of a prisoner to expeditious tribulation Hussainara Khatoon V. Home Secretary\textsuperscript{108}, right of an employee in a disciplinary proceeding\textsuperscript{109} Right to bulwark afore an Advisory Board to take licit avail where the employer is represented by a lawyer.\textsuperscript{110}

Expression 'personal liberty' in this case India\textsuperscript{111} Maneka Gandhi V / s in combination received the full significance of it; Court describe all possible. Maneka Gandhi's influence in Article 21 in the procedure established by law in the development of the concept of reasonableness is very consequential.

‘Personal Liberty’ in Article 21 primarily denotes, liberation from physical restraint of person by incarceration or otherwise A.K. Gopalan V. State of Madras \textsuperscript{112} but denial of right to vote to prisoners or detunes is not violative of Article 21.
But it is going to make the personal liberty of a person other than measuring all kinds of rights which are already included in the several clauses of Article 19, where an erroneous malefactor case was got registered by a non-existent person in consequence of which a non-bailable warrant of apprehend was obtained, the Supreme Court directed the Director of CBI to nominate a senior officer to investing in to the matter & to file his report within six months. The expression is of the widest amplitude.

A) Rights covered under Article 21
a) The right to locomotion except in so far as it is included in Article 19 (1) (d)

b) The right to peregrinate abroad i.e. move out of India

c) The right to socialize with members of one’s family & friends

d) The right of prisoner to expeditious trial

e) Loss of citizenship which would entail deportation was surmised to be included in this expression,

f) An order made under S.144 Cr.P.C. to shoot anybody contravening a curfew order has been held to breach Article 21, since an order to shoot was ultra virus S.144 of the Cr.P.C.

g) The right of an employee in disciplinary proceeding or of a detenue afore an Advisory Board to take licit avail, where the employer or the Regime is represented by a lawyer.

The Supreme Court has in Unnikrishan V. State of A.P.

Words, the expression 'personal liberty' in the wider spread of the unremunerated rights under Article 21 have been expressed. In that case, the court gave the following list of rights covered under Article 21 itself.

1) The right to go abroad

2) The right to privacy

3) The right against solitary confinement

4) The right against bar fetters

5) The right to licit avail

6) The right to expeditious trial

7) The right against handcuffing

8) The right against delayed execution

9) The right against custodial violence

10) The right against public hanging

11) The right for Doctor’s Assistance

12) The right to Shelter

B. But it would not include –
1) The right to own opportunely or not be deprive of it by laws for compulsory acquisition or imposing land ceiling
2) The right to be admitted to a college

Other rights:
1) Right to health & Medical avail of workers
2) Gregarious Justice

One other remarkable feature of the expanded meaning given to Article 21 is the noetic conception it is in the form of a negative obligation cast upon the State not to interfere with life & liberty of individual, yet sundry decisions of Supreme Court have now imposed positive obligations on the State to take sundry steps for ascertaining relishing of life by an individual with dignity.

These are in every condition i.e. conducive for leading a better life with human dignity is brought within the fold of Article 21 The State is now enjoined to consummate these positive obligations.

Procedure established by law

A reading of Article 21 would go to show that a person may be deprived of his life or personal liberty only in accordance with the procedure established by law. In other words those who are called upon to deprive other person’s of their personal liberty will have to observe the forms & rules of law rigorously. State in Article 21 of the word 'law' is used in the sense, or embodying the principles of natural equity legislation in abstract or general sense of the law as an equipollent made.

Hence the expression 'procedure established by law' denotes procedure prescribed by the law of the State but it should not be arbitrary, inequitable, or unreasonable.

‘Procedure established by law’ in Article 21 designates the law prescribed by the Parliament at any given point of time.

The Parliament has the potency to transmute the procedure by enActing a law by amending it & when the procedure is so transmuted it becomes the procedure established by law. The law that is mentioned in Article 21 must be a valid law. In other words, it should have been enacted by a competent Legislature & the verbally expressed law should not contravene any other Fundamental Right declared by the Constitution.

India's Ram Singh V. Cumulation Court optically expression 'procedure established by law, adopted under Article 21, the law is plausible that it is not to be understood, that has been heldConstitutiongave state law to determine the validity of the law is the final word may be asked.
Niranjan Singh V. S.K. The Supreme Court in the case of S. 144, which is working on Article 21 of the constitution and it, was a stop on puissance ban has been altered in any way.

In the case of M.S.Sharma V.S.K. Singh145 The Supreme Court held that 'procedure established by law' refers to the process laid down by statute law by the Amalgamation or the State Legislature & it legislature and the rules framed under Article 208 enforce his right & a person is deprived of his freedom for a new trial committee of the but manek Gandhi V. Cumulationof India146 the Supreme Court overruled AK & Gopalan's case has held that the word 'law' in Article 21 is not just a piece decree but it must be fair & law ie plausible Which embodies the natural principles of equality? The Court said the law should be fair plausible & & process, to be plausible fair & just have to embody the principles of natural equality.

Thus accepting the concept of natural equity as one of the essential component of law, the Court has imparted the American concept ‘due process of law’ into our Constitution that the makers of Constitution repudiated the expression ‘due process of law’ in constituent Assembly long back.

The Supreme Court is the mechanism contemplated by Article 21, which is just right and fair and not arbitrary, fanciful or dog should be the state's 147 claims in Kartar Singh V. State. In order procedure just & fair it should be in accordance with natural equity, which is right.

Olga Tellis, 148 returned to the Supreme Court of the right conferred by Article 21 Premature procedure prescribed by law for only & Copy, should be neutral, which is accentuated? Equity & equity method must be certified to the rules of the game of his right to life for a person criticizes prescribed by law. In the circumstances of a case inequitable or inequitable, that mechanism, which prescribes the action and consequently, that action is taken under this law vitiating, intransigence attract vice.

At present the procedure established by law does not mean enacted law but the procedure prescribed by the Act must be right just & fair.

Nature of the Article 21
A) Negative & Positive:

Article 21 commences with negative concept as it utilizes the word no which raises the question: Does it guarantee only a right? In case of positive right, the person having the right can compel the person upon whom the correlative obligation is imposed to do same positive Act.

Negative right has the Scope that person having right shall not harmed. Rights may be relegated into negative & positive rights, jurisprudentially. In the main distinction between
the negative & positive rights in cognation to Fundamental Right is that in case of negative right the State shall not interfere in the delectation of the right of a person, while in case of a positive right the State shall ascertain the observance of such right by doing some positive Act. In the opinion of a distinguished jurist, the positively benefited. 149

It may be further noted that when Article 21 confers a negative right, it signifies that a positive obligation is imposed on the State that it should additionally do the needful for the aegis of person’s personal liberty 150

Merely obviating from any encroachment or engendering unbreakable wall around liberty for its auspice may not be sufficient.

Persons like, bonded labors helpless prisoners & other persons belonging to more impuissant Section, who are not in a position to forfend their cherished right. Then the question comes what is the obligation of State? Can it be only a spectator?

I cerebrate in such cases the State should come forward & perform the positive obligation under Article 21. This question pointedly came up afore the Supreme Court in Gopalans case 151 where it was held that Article 21 conferred a negative right Following Dicey, Mukharjee J. observed 152

This view of Gopalans case was not accepted in latter decision. In the case of Kharak Singh 153 the Court took the stand that Article 21 imposed obligation on the State to forfend the ‘life’ & liberty of the person. Thus the Court brought in the element of positive right into Article 21.

In case of AD M Jabalpur V. Shivkant Shukla 154 Habeas Corpus case it was argued that the Plus the rights to personal liberty is not positive, but the extent of free action refers to an area of the law to curtail the negative sense, or is it simply refused to accept a reduction in Bhagwati J. repelled the above contention & held that Article 21 conferred a positive right to life & personal liberty because part III of the Constitutionensured. ‘Fundamental Rights’ the learned Judge while fortifying the above view observed 155

It is a truth couched in the language of Article 21 is negative, but it is not obligatory that the fundamentals of the language is to discuss the use of any particular form 156

Thus the Court settled the controversy that the Article 21 guarantees positive right of life & personal liberty unlike the freedoms available under the British Constitution. This nature of positive right will have for reaching consequences in the liberty jurisprudence attracting sundry obligations of the State under Article 21.

In case of Assad’s 157 Bhagwati, J. verbalizing through the Court, opined that it workmen were deprived of any of rights & benefits to which they were entitled under the
gregarious welfare legislation it would be pellucid infringement of Article 21, because to the workmen.\textsuperscript{158} Thus the Court imposed positive obligation upon the States to bulwark personal liberty under Article 21. The Constitutionmakers did not utilize the word ‘positive’ in Article 21 because they wanted to leave the great concept like liberty purposefully to accumulate meaning from experience\textsuperscript{159}

Political convivial and economic change incipient Rights and its sempiternal magnifier apperception of law in society grows to meet ordinant dictations. In every man the right to personal liberty inheres. Positive way to provide for the same is not a desideratum. Thus the jurisprudential distinction between the positive & negative rights has no impact on the nature of the right to personal liberty under Article 21\textsuperscript{160}

Article 21 has expanded interpretation, included many incipient rights, viz, right to livelihood, right to shelter, right to edification, right to work etc. Whether the State has positive obligation to provide jobs for all, to build houses for all to establish an inordinate quantity of inculcative institutions as required by people? The Court kept sometime such right within the circumscription of economic capacity of the State & in some cases it transcended that limit.

The Court ultimately resolved this dilemma in Unnikrishanan’s case & the Constitutionbench held that Article 21 has both a negative & positive dimension. It is submitted that the above view is more congruous which could enable the judiciary to exercise its sapience for issuing direction in those cases of State inaction in the matter.

2. Restriction and deprivation:

In case of Gopalans\textsuperscript{161} the question the denotement of deprivation whether it includes restriction as well, the case look the view that deprivation did not include restriction.\textsuperscript{162} The Majority view is Gopalan’s case was followed in Kharak Singh \textsuperscript{163} The Majority opinion in both the above cases, was abnegated by the Bhagwati, J. in Francis Coralie \textsuperscript{164}, where the Learned Judge held that the word ‘deprivation’ included ‘restriction’.

Regarding deprivation the second question is whether it includes total or partial deprivation additionally. The Court took stand initially the ‘deprivation’ denotes total loss & the partial deprivation was exclude\textsuperscript{165} later on the above view as overruled by the Court in Francis Coralie\textsuperscript{166}, where the Court held that the total & partial deprivation were included in the word deprivation.

‘The not her point was: will deprivation include’ direct & indirect effect on personal liberty? Detailed at length in Gopalan’s case\textsuperscript{167} Kania C.J. verbalizing for the majority, was
of the view that Act for the majority, was of the view that Act which had direct & immediate effect on personal liberty would magnetize Article 21.

Now the deprivation includes both direct as well as indirect effect. In the Gopan’s case the majority took the stand that it was the deprivation of the physical freedoms & not psychological or personal sensitiveness which could attract Article 21. In case of Kharak Singh, Subba Rao, J. dissenting was of the opinion that psychological restraints, being more efficacious than even physical one would be covered under Article 21. Thus the psychological restraints were additionally included into the Scope of the word deprivation.

Another question which relates to the designation of deprivation is: Whether it signifies Genuine or threatened deprivation withal? Bhagwati J. interpreting the verbalized term in stone quarries case held that even a complaint by workmen that they were living in miserable conditions, which could threatened their lives, would be treated as deprivation of the personal liberty.

‘Deprive’ conveys the conception of taking away that which one has or with holding that which one may have to take something from: to desist from acquiring, utilizing or relishing something to take away, end, injure or destroy.

Even an ad interim or non-final deprivation I included into Article 21. The above interpretation provides a consummate safeguard of personal liberty except according to procedure establish by law.

3. Procedural & Substantive Right:

Article 21 of the marginal note, personal freedom, the right to life, it gives the impression that this article is to provide a substantive right. On the other hand, by statute, this article the term 'method' used. It refers to the procedural guarantees of the right as well as that of Article 21. One of the arguments of the State of Madras V Gopalan Article 21 provides that Article 19 of the deprivation of personal liberty against the procedural rights of the original claims. Patanjali Sastri, J. following the American Jurisprudence, set a side the distinction so made & held that Article 21 provided both, the substitutive & procedural right, He opined:

The truth is that Article 21 of the Constitution of the United States as a whole and its American model, the same as in the fourteenth amendments to the fifth & procedural rules and substantive rights & presents an example of fusion.
Article 21 clears that it requires two things first there must be a law sanctioning deprivation of personal liberty & secondly, such law must prescribe a procedure, the above question was again considered by the Court in the Habeas Corpus, Bhagwati J. approving quoted the observation made by Patanjali Sastri, Mahajan & S.R.Das J.J.in Gopalan, held that Article 21 provided both substitutive as well as procedural safeguards. It Article 21 is treated as providing the procedural safeguards of personal liberty is to be found somewhere else. In other words Article 21 does not provide the substitutive right which is against the Constitutional Scheme that it provides the substantive right. Thus Article 21 provides procedural safeguards as well as substantive right to life & personal liberty.

Scope of Article:

Sections 21 and 19 (1) (D) of the content of the subject matter and they are not the same as the total on the principle that in the case of Gopalan was decided by the Supreme Court, As the scope of Article 21 was narrowed to 50 remotely. In this case the word 'Premature' was used in a narrow sense, and this means that the time Gopalan's case and section 19 (1) (D), which came under the right to go liberatingly does not ban, which was held this case lead at home with a person's salvation, that intervention was organized Constitution but post Gopalan case, along with some other articles of Section 21 in respect of the scope of Article 21 has been expanded view, or by the decision of the Supreme Court and various gradually modified or restriction imposed on a person will need ascendancy of law while in prison.

A reference to Section 19 of the Penal Law's discretion, may be questioned, Gopalan's case was later point in this issue. Maneka Gandhi of India, the Supreme Court in the case of V. Coalescence opened an incipient aspect and action of his life or personal liberty can not deprive a person that died. This view further, Delhi and other constitutional measures Francis Lorelei V. The Administrator Coalescence Territory has been relied upon in the case.

The enforcement of this right has the right to Constitutional remedy. The assurance of Fundamental Right to personal liberty has no value unless there subsist the expedient to enforce it. Article 32 & 226 of Constitution of India provides efficacious & congruous remedies for enforcing the right to personal liberty. The most paramount feature of Indian Constitution is that Article 32 itself confers a Fundamental Right to enforce the Fundamental Right under part III of the Constitution. This Article confers the right to move the Court on persons whose Fundamental Right is contravened.
Article 226 withal confers on the High Court the puissance, interalia, to issue felicitous writs for the enforcement of Fundamental Right. However a writ of habeas coups can be issued by High Courts under Article 226 not only as a matter of enforcement of the Fundamental Right but a mundane right withal & this will be available against even a private individual\textsuperscript{180}

Under the present set up the right to move the Supreme Court is not affected & subjected to the esse of any other alternative remedy. This is the correct interpretation of the remedies under the two Articles because Article 32 guarantees the Fundamental Right to move the curtain integration to the remedy provided under Article 226.

The Court thus marked a distinction between remedies provided under it implicatively insinuates that the remedy under Article 32 is lot discretionary & once the infringement of personal liberty was found, the Court was bound to grant the palliation it to the petitioner.

Right to compensatory remedy

In the case of Khatri, the question of emolument for breach of the Fundamental Right to life & personal liberty under Article 21 of the Constitution was considered by the Court to the first time in this case involving police atrocities. The question was whether the State was liable to pay emolument to the optically incapacitated prisoners who were optically incapacitated by the police force acting not in their private capacity but as police officials. The Court conceded in the case of Veena Sethi V. State of Bihar\textsuperscript{181} that the State is liable for emolument but it did not pronounce on the issue of emolument as the fact of visually impairing was disputed. Albeit the fact of visually impairing was arduous to prove\textsuperscript{182} it is submitted that the Court should have awarded emolument to the victims.

Supreme Court in opportune cases awarded emolument in case of contravention of Article 21 & withal in certain cases penalized erring officials. The right enshrined in Article 21 is very precious & loss can not be undone but to some extent it may be compensated in terms of maxima. In Rudal Shah V. State of Bihar, Supreme Court held that fake complaint after opportune investigation be failed & in case of such genuine complaints erring officials should not be shown any leniency.

The Supreme Court has made it clear that the Court in opportune cases, may award monetary emolument to the person whose right to life & personal liberty ensured by Article 21 has been breached by the employee of the State\textsuperscript{183} In a case\textsuperscript{184} the A.P.High Court has held that Otherwise than in accordance with a procedure prescribed by law, a citizen deprived of his life or freedom is the absence of sound words, which is the sovereign function of the state officials acting in the discharge of the answer was no express.
In Shakuntala Devi V. Delhi Electric Supply undertaking the live electricity writ was lying open in the field. It was not rehabilitated in spite of many complaints. The petitioner’s husband came into contact with the verbalized wire & died. The Court directed the Delhi Electric Supply undertaking to pay emolument to the widow & children of the deceased.

In Sebastian M Hongray two persons were taken to a military camp for interrogation & there after they were not visually perceived. The Court issued the writ of habeas corpus to engender them afore it. However they could not be engendered. In these circumstances the Court directed the Regime to pay Rs.One lac each to the wives as a quantification of exemplary cost it may be noted that there is not mention of Article 21.

In case of State of Punjab V. Satpal Singh (AIR 1990 SC231) the Constitutional safeguards for aegis of apprehended persons are flagrantly infringed by police officials.

It is submitted that in case of Industrial hazards the emolument should be awarded in the writ jurisdiction itself. It may be pointed out that such cases could be covered within the criterion laid down by the Court for determining a felicitous case. The right of victim in such cases does not depend upon the fact that the damage was caused by the State or private individual because even the private person may be directed to pay the emolument.

The expansive interpretation of Article 21 in recent years, has imposed a positive obligation upon the State to bulwark the individuals property which was considered by the Court in R. Gandhi V. Coalescence of India. The emolument was claimed for eradication of the opportuneely of the victims due to total failure of the State to perform its Indispensable obligation to forfend the life & livelihood of the citizens. The High Court upheld the emolument claims to rehabilitation of the affected persons.

The jurisprudential substratum of the principle to award emolument was laid down by the Court in Nilabati Behra V. State of Orissa where it held that the bulwark of sovereign immunity was not applicable to a claim in public law for emolument. Varma J., distributing the judgment for the Court, opined that the proceeding for emolument under Article 32 & 226 was a public law remedy to which sovereign immunity did not apply albeit it could be available as a bulwark in private law in an action predicated on tort. Thus, the emolument to the victims whose rights have been breached would depend upon the nature of proceeding one opts to pursue. It is submitted that the above decision did not demystify the position when the claim of emolument was raised in appeal cases & the extent of sovereign immunity to avert the victims from emolument in a private law suit.
When the victim is entitled for emolument he should be provided mitigation by the Court. In Saheli the Court held that the mother of the child was entitled to get emolument for the death of her son, who died of a result of injury caused by the police officers, from Delhi Administration following Vidyawati the Court repudiated the bulwark of sovereign immunity & directed the State to pay Rs.75000 to the mother of the deceased child. The most remarkable point in ‘Saheli’ was that it did not make any distinction between the cases of breach of Fundamental Rights & other licit rights.

Following the above view in Hazur Singh v. Behari Lal B.R. Arora J., explicated the present position of the sovereign immunity as follows:

State can not claim any immunity from payment of damages for the illicit & wrongful Action of its officers on the soi-disant doctrine of sovereign immunity. Time has come to give a good bye to the doctrine of sovereign immunity & to sweep of this archaic rule, which has become out moved in the concept of modern development

The emolument is awarded, generally on the substructure of the entitlement of the claimant at the law. The modern concept of equity is more concerned with providing mitigation to the victims than the niceties of licit principles. For this purport the Court may additionally take into consideration the economic condition of parties while determining the quantum of emolument, some recent decisions are a pointer where the Court awarded emolument to the victims irrespective of justification of their claims. In Peoples Cumulation for Democratic Rights V. State of Bihar the police opened fire at a placid meeting without any admonishment or incitation as a result of which 21 persons died & several persons suffered injuries.

The Court directed the State to pay emolument of Rs.20000 for each case of death without prejudice to any just claim of Emolument. (At 366) Though this observation is commensurable with Rudal Shah where the Court verbalized that the order (of emolument) will not preclude the petitioner from bringing a suit to recuperate felicitous damages from the State & it’s a suit to instaurate opportune damages from the State & its erring officials. The difference is that in Rudul Shah the Court decided the emolument claims, while in the latter case it did not decide the claims, & returned the matter to the High Court.

Jwala Devi V. Bhoop Singh is another decision falling in the above category. It was all aged by a geriatric woman that she was assaulted, tortured & paraded in the street after rubbing ebony shoe polish on her face by police officials. These allegations could not be proved afore the Court & the claim for emolument were repudiated. But the Court directed the State to pay 5000/- to the petitioner. A kindred order was passed by the Court in a
medical mishap case\textsuperscript{199} where the ocular perceivers of the patients were irreversibly damaged after operation by a team of medicos.

As to the question of congruous emolument to the victims in this case, Rangnath Misra J. observed that on humanitarian consideration the victim should be afforded some monetary mitigation by the State Government\textsuperscript{200} the Court directed the State to pay Rs. 12500/- to each of the victims. It may be pointed out here that in all the above mentioned cases Equity pointed out here that in all the above mentioned cases Equity Misra was a member of the bench. It is remarkable development for which the credit goes to Equity Misra.

Article 21 Constitution of India deal with the fundamental rights contained in Part III of the article is one of the presidents. Constitution as defined by Article 12 of India listed in Part III are applied against fundamental rights. Government and Parliament of India and the state government and the constitution of the United States each and within the territory of India or the Indian government under the control of local or other ascendant contain entries. Section or lay such erraticism or derogation to the extent in derogation of the fundamental right to cancel the law inconsistently unstable 13 are treated. Measure the state takes away or Constitution unlike India and section 13 to the extent of any law violation, will be worthless th rights conferred by Part III of abridges, which is ordered not to make any law. So far, referring to Article 21, any person except according to procedure established by law deprived of his life or personal liberty.

Namely question as verbalised article hurdle is the true meaning of life is what. This work will include the right to livelihood or right or it will only bare physical esse connote? 1 "is the fundamental right to life is the most precious human rights, which compare with Section 21 and Form: see it in relation to the author in his book Exordium education full equity BL Hansaria remuneratively to keep paying all rights. What is more, this article from the desire of the people of India. We are sure; They want in the future, it is more capable of giving.

Judging by the fathers, the company is probably not visualized base elements in the Constitution has such a potentiality. Roughly every such Provide have improved, so long as this Article. Must of heaven because of the content of the mammoth, included in Article 15A of the 'replacement' to Article 21 of the Constitution of the frame are numbered, Article 15 and the other half felt dissatisfied with the strange Constituent Assembly Dr. Ambedkar poured Article 21 of the deaths and small. Peregrination all its glory is eternal. Law never still; You do not. Well, it's not the words to express the logic of the law of life, has been shaped by the hands skillfully challenging time, it is the experience."
Article 21 in Constitutional Settings:

This article is couched in negative form, except according to procedure established by law and the state of his life or personal liberty, not necessarily the person who not only does not deprive the citizen is reached. It is only valid in the law of the State of his life or personal liberty by any legal means to deprive any person is standard. Such a policy should be consistent with the law as valid, it is necessary to deprive any person of his life or personal liberty if the procedure laid down by the law of verbally expressed concern that the law is a valid exercise of legislative power by making the ascendancy should result.

In other words, only the competent legislature can do such a law. If the policy is to lay down the law as one of a still-born or disability and ultra vires the Parliament of concern is potencies an unintended by the legislature, it was found that such a statute. Grom is the result of an invalid law, such as process flow is governed by Article 21 of the sweep of a person's life or personal liberty is that there will be no impact on the; and However, the role of the judiciary system by the statute of the process have been laid down by a legislature, it has been found competent. Judicial activism in the realm of fundamental rights, the right to privacy. "The Supreme Court stating that the law should be binding on all courts within the territory of India." Therefore, the Supreme Court decided that the Constitution states in Section 141 of the Land Act.

Under article 21 of the Supreme Court of India and the "Bulwark of life and personal liberty" as a component of the fundamental right to "privacy rights," construing the mundane citizen, the time has come to the rescue, that "no person in the act" of his life except according to procedure established by a shall not be deprived of liberty. In the context of personal liberation, the Supreme Court "stringently and scrupulously observe the forms and rules can not imagine what they must discharge their obligations to other persons deprived of their personal liberation to those who feel they" have played.

Constitution of India, 19 (1) (a) of the math "to liberation of verbalization and expression" the fundamental right to (i) plausible restrictions imposed by the State, including that relating to defamation, (b), contempt of court, (c) decency or morality; states (iv ) aegis, with peregrine states (V) comity; offense to you (VI) inspired, (vii) public order; (VIII) in the maintenance of the sovereignty and territorial integrity.

Thus, the right to privacy defamation, decency or morality is circumscribed against. The Supreme Court reiterated that the right to privacy in the following cases:

1. Kharak Singh, V. The appellant in this case, the domiciliary state of the
Regulations, which sanction peregrinate, the 236 (b) of being harassed by police under. Section 21 of Regulation 236 the Supreme Court held that it is unconstitutional and violative. The Constitution aegis of life and personal liberty as a component of the right to a "right to privacy" that includes concluded. Section 21 of the Liberation of privacy was broad enough to include, and where he resides with his family in a person's home, his castle, and that nothing that "the 'privacy' with 'individual liberation' of the way, and keeping with its privacy a calculated intervention "and a man's physical bliss and health is more deleterious.

2. M.P.'s Gobind V. The other case on domiciliary visits. The Supreme Court's privacy - a key authoritative ordinance of higher interest to examine with care and only when it is shown not to be gainsaid "that is laid down. Filed a claim right to privacy is a fundamental right, it must satiate the compelling state interest test as an act of infringing shelter If it's not right that ........ "

3. State V. Charulata Joshi liberation of the press, which the article 19 (1) (a) given by the Constitutional right to liberation of verbalization and expression is not an absolute right "of the Supreme Court." News of the person sought to be interviewed and the interview will be required to obtain the consent of the person if you verbalize no, no court can issue an order.

4. Tamil Nadu and Rajagopal V. Even without his sanction or approbation of the State Supreme Court petitioners insofar as they appear in the public records of Shankar's life-story/autobiography do have the right to express that held. The story of his life, but beyond that, and if they can not assail his right to privacy, in accordance with the law then they should be held accountable for results.

Similarly, the state or its officials verbally expressed, the publication can not be habituated to avert or restraint. Among other things, it is a citizen of his own, his family, espousement, procreation, motherhood, child-bearing and have the right to bulwark the privacy of "the verbally expressed. Anyone can publish anything cognate to the above, except the erudition or consent otherwise - and whether laudatory Or not critical., he does so, then he will be in infringement of the individual's right to privacy, and will be responsible for the loss of a job .......

5. The civil liberties (PUCL) V. People's Amalgamation of the Supreme Court held that the Telegraph Act, in breach of article 21 of 1885, S. 5 (2) of telephone tapping by the Regime under. Privacy rights of "life" and inserted under the Constitution personal liberation" as a component of the right verbalized right can not be lowered.
6. Mr. 'x' v. Hospital 'z' for the first time the Supreme Court on the health of sensitive information articulated. In this case, appellant's blood test was conducted and the respondent's hospital with HIV (+ +) to be found. Is already settled, that his wife, after this revelation is closed. They belong to the community, including members of his family and some of his HIV-positive (+ +) status for the suit and was ostracized by the community.

The ethics rules, according to him, by his obligation to keep secret the information about his health in order to claim emolument from the respondent approached the National Commission against the hospital. National Commission summarily dismissed her complaint. As a result, he peregrinates to the Supreme Court of Appeal.

Appellant as the person who applies to the medical vocation, the obligation of care 'policy to maintain the confidentiality of respondents and this obligation is passed by, they were liable to pay damages that are the responsibility of the argument. "The right of privacy, apart from contract, the commercial matrimonial, or even a political cause, which may arise out of a concrete set. Medico - patient relationship, albeit the commercial, therefore, coerced to maintain the confidentiality of the medico morally and ethically, professionally not a matter of confidence."

It was a fundamental principle of jurisprudence, however, that the absolute obligation of every right and every obligation is not an absolute right, 'rule was not absolute and that' a person has the right to be 'that sense, subject to some exceptions, but there may not be a relative of Obligation, and the instant case fell within the exception.

Code of Medical Ethics and carved out an exception to the confidentiality rule and an immediate or future health risks have, especially where the 'overriding public interest in the confidentiality under which, in certain circumstances, sanctioned the others to follow. According to the court, appellant placed for privacy, 'Okay, if any, proposed espousement with the appellant suffered from it, which carries the peril of infectious disease transmission as health, was not applicable in the current situation.

The right to privacy of the HIV (+ +) and, therefore, they are liable in damages was revealed that the respondents have contravened the appellant wishes arguments, the Supreme Court observed that one of the rudimentary human rights as the right to privacy as absolute and licitly offense or disorder or auspice of health or morals or the aegis of the rights and freedoms of others, as reported may not be accepted for publication, it is not subject to such actions.

7. District Registrar and Collector V. Canara Bank, illicit intrusions into the privacy of it right away and pretend that it is brought into play, depending on the
nature of that", was held, but at this point it is a very paramount subject, the apprised judgment. These elements for the definition of the right to privacy searches and seizures at the request of the State, by the way, that you have the right to assail whenever they arerelevant. "Following the judgment given by the Hon'ble Supreme Court, the three themes emerge.

(1) Privacy and confidentiality in accordance with the results of the right person for any unlawful attacks 'malefactor' should be held accountable;

(2) Unlawful aggression against the regime to forfend the privacy of the Constitutional right to privacy, which is apperceived;

(3) A person's "right to let alone" is not an absolute right and licit malefaction, disorder or bulwark of health or morals or the bulwark of the rights and freedoms of others, for averting the relinquishment of the report as may be constrained; “…Article no life or personal liberty except according to procedure prescribed by law, shall be deprived of his 21 mandates. The expression 'life' is much wider meaning. The result of a departmental enquiry is liable to adversely affect the reputation of a person's livelihood and where, therefore, to make life worth living human civilization jeopardized and that some of the finer graces bylaw, which inheres only fair procedures can be put in jeopardy.”

In the case of Mrs. Bhagwati, as laid down by Jay. Maneka Gandhi v. India & Anr.10 reasonableness test, which must be answered in order to be in accordance with Article 14. Article 21 should be able to stand the test laid down by Article 14 and Article 21 of the process envisaged by the Act misramamuce right and just and fair and not arbitrary, fanciful or oppressive, otherwise it slaked and Article 21 of the policy is not at all necessary. LIC of India and another in the case of v. Consumer establish and Research Centre and the other 11 Supreme Court reiterated the very same principles and Article 19 in any part of the country and the freedom of the right of residence and settlement noted in paragraph 14 life assurance limit interpretation of the right to livelihood and 21 right elongates.

In the case of M.J. Sivani & others. v. State of Karnataka & Ors.12 Court under Article 21 of the right to life and livelihood bulwark extended too far, or proposed to be managed, but its lack of ambition or extended, the public interest in a trade or business or injurious to public morality or public order that can not be integrated into the artificial effect of a rider. It is, therefore, likely to be intuitive, some video games or video games, or the possibility of enjoinder held that the regulation is not violative of Article 21 of, and adeptness commixed or process, and therefore illegal, or is uneven.
A bench of three Chameli Singh & AMP and Anr.13 v. Found in Article 21 of the word 'life' had to examine the question of whether all parts of the right to life. Yes, the answer to the following question Observations made in para 8 of the findings of the case:

“A human being, men only complete the desiderata of animals is not known, as in any organized society, the right to stay. He himself had assured each facility to develop and inhibit his Magnifier, which is exempt from the ban, whereas only issecured. This is designed to achieve the object of all human rights. In any civilized Wright societyimplies pabulum, dihydrogen monoxide, decent environment, inculcation, shelter, medical care and ensure the right to life…”

Including the right to livelihoods as mentioned in Article 21 have the same view of the Supreme Court in Dr. Haniraj J. Chulani v while deploying the sentence. To be reflected in Maharashtra and Goa14that Bar Council was right. But the fact whether it is approved for the practice of law, is not the only way to a medical practitioner and that is that a person is not gainsaid, that is right verbalised in this case was that.

Minister of Haryana, 15 homogeneous view of this discussion, the omission of the Supreme Court's decision in State v quoting closed. Article settled position of the right to a decent livelihood for the people who live and work on the right to earn a dignified life, which is valid for 21 guarantees the law and without any procedural law is to deprive them of this right, therefore, that the legislature should be regarded as competent, speaks of the law and, Constitution of India, 14, and 19, especially Article (1) (g) is not in violation of any fundamental rights.

Article 14 and Article 21, along with 19, so that, in India, including its citizens a healthy and effective life for all residents to understand the trinity of rights must be treated as a golden triangle project. The three articles in the Preamble to catch up with the promise of a more egalitarian era to understand that within the discipline of the fundamental rights guaranteed by the project, which will be right “Inalienable dignity of every person has the right and obligation. Belong to one of whatever convivial class, every person is engendered in God is a living body, but with a charmingly resplendent free and immortal soul is not only endowed.

Having emanate from God, the Spirit of The Spirit of God is God and should be back in a dark coal mine in the bottom of the body of a worker to live, or in the lap of luxury in a well - alimented Financier living in the body, it does not matter what you do. Authenticity, both of them have the same value. They are true, morality and the struggle for perpetual life,
so that they are equipollent personal dignity, moral responsibility, the same perpetual destiny, and both of them have been given the subsistence of the world.

Father Leo John Dehon, progenitor of the Sacred Heart priest’s Human dignity is a macrocosmic concern. Independent assessment of its moral agenda on the one hand and the gregarious construction of a double kind is endeavored. The variety of people all over the world to challenge the rudimental dignity. To an immensely colossal extent, globalization autonomy, opportunity and a sense of undermining and ravaging the source has a role to play. Status, race, class, race, religion and gender divisions with a critical relationship. Women in a patriarchal society 'dignity' in order to maintain, after all is objectified. In the very heart of their sense of dignity, and they will be coalesced with an instauration in a genuinely democratic state. Employment, edification, health, liberation from hunger, the vocations, gregarious security and the economic and gregarious rights of all people to a dignified esse, the most paramount way to ascertain that. From the perspective of a Subalterns and to ascertain that the minimum requisites are consequential. Dignity, tranquility, health and liberation to live in that hope.

In this article the concept of the Indian judicial system and how it has been expounded by the evolution of the test are discussed. In additament, many of our domestic law and international convention has been dealt with in detail in the inculcation of. Conclusively, as can be formalized in terms of the dignity of human beings, who can play the role of savior of the judicial system that records only.

Indian Supreme Court implicatively insinuated by the right to life, human dignity, in both senses of the concept of human rights has received a catalog. The right people, the aliment, shelter, hygiene, Clean Air, health care, inculcation, and human dignity as a fundamental right for them to have to live with. In Punjab, Kartar Singh, V. Conditions, the SC is not only liberation from arbitrary restraint, which is an essential condition for the full development of the personality in order to secure a congruous goal that was ruled.

The Supreme Court in the case of different ways 'personal dignity' to expound, some of them are: - Air 1997 Supreme Court 645 "Air India Statutory Corporation V. Cumulated Labor Cumulation" recommendations and 38 of the Constitution to be paramount and livable life with human dignity, gregarious equity you imagine the arch. It provides an insight into the evolution of jurisprudence in which the environment is in the ocular perceivers of the law. It's the spirit of the law and makes it richer. And the time required meeting the desiderata of a particular era as a paramount system, the ultimate goal of every civilized society. Equity, law, convivial ardency and commitment comprehend.
Egalitarian convivial, economic and political democracy to usher in the Constitution as the highest values of equity, liberty, parity and fraternity. Of convivial equity, equipollence and gregarious status are the pillars of democracy. Engrafted in the orderly magnification and development is essential for every citizen of the policy, which consists of a "convivial equity" concept. Air 1995 Supreme Court 922 "Consumer Edification and Research Centre V. Amalgamation of India," the right to life, health and vigor of workers, to enable a person to live with human dignity, requiring a minimum of bulwark are included.

Human dignity, the right to repose and leisure, personality development, gregarious security, the right recommendations and Arts.38 and 39 of the Constitution, Macrocosmic Declaration of Human Rights by the comfort of an ad interim fundamental human rights.

Air 1981 Supreme Court 746 "Francis Coralie Mullin V. Administrator, Cumulation Territory of Delhi" Art.21 embedded in the right to life can not be inhibited to mere animal esse. It signifies something much more than just physical survival.

The right to life with human dignity and all that goes along with it, such as, for example, read, indite and express yourself over the head and facilities adequate pabulum, apparel and shelter, the bare necessaries of life includes right to live with sundry forms, liberatingly moving about and commixing and collaborating with the commingling.

It arises, the question of the right to life, limb or faculty are only circumscribed auspice or whether it is more and more embracing. We have the right to life with human dignity and the right to reside there cerebrate it goes along with that, namely, such as reading, inditing and expressing one over the head and facilities adequate pabulum, habiliments and shelter, the bare necessaries of life, sundry forms of self-avail liberatingly moving and commixing and collaborating with the commingling.

Preventive detention, but not indispensably to secure the relinquishment of a writ petition or submission of any claim or civil or malefactor proceedings, prosecuting for the bulwark in malefactor proceedings is not circumscribed to the cull of a licit adviser for the purport of consultation is to the right of a detenu, conspicuously, human dignity, personal liberation and the right to live and be included with the component of the detenu can not be deprived of this right by the right of the detenu, should be plausible and can not be interfered with except in accordance with the valid licit process. Air 1997 Supreme Court 610 "WB's DK Basu V. State"
"Custodial torture" of human dignity and a profoundly and immensely colossal extent, independent personality, ravage, which is a stark contravention of degradation. Humanity Flags fly half mast on each such occasion.

Air 2004 Supreme Court 561 "Guruvayur Devaswom Managing Committee V. CK Rajan" the poor, depraved poorest, analphabetic, urban and rural unorganized labor sector, women, children, the incapacitated by incognizance, we found that the potency of judicial review of their practices, indigence and illiteracy, and other have no access to equity is trodden down or have been gainsaid equity.

'Convivial action' or 'Public Interest Litigation', an incipient branch of proceedings kenned as the person mentioned above was developed with a view to render equity to the entire class. It's time to stretch his wings. Expeditious Tribulation, the maintenance of human dignity, of the Licit Avail, who provides palliation and covered Inmates in several areas.

As the Pro Bono publico and test litigations and peripheral procedural shortcomings on the man suspected by the dependence of the precision of the authentic issues - you optate to pass, an obligatory disincentive to those who had the bliss of equity in keeping with the current accent. Air 1981 Supreme Court 525 “Ravinder Singh V. State of Rajasthan Kishor" human dignity prison officials had bartered away for mere apprehensions will be a favourite value of our Constitution.

Bhagwati, J.: - The impecuniosity malfunctioning of our convivial, economic structure by the immensely colossal masses of people, and it is an imprecation inflicted on the soul corroding and glomming him by sapping the moral fiber of the catastrophic effect that one of the rudimental

Human dignity and the right of God on earth, this sublime the engenderment of high quality and those they would be eradicating the finer susceptibilities. Bonded labor system (abolition) Act, 1976 to implement the provisions of the regime's actions that any failure of bonded labor and rudimental human dignity, with a view to ascertain the principles of the policy guidelines have been enacted by section 21 of this Act, apart from the most pellucid breach of the Constitution will. Air 1978, the Supreme Court's 1675 "Sunil Batra V. Delhi Administration" Offends human dignity, imposes avoidable torture and reduces the caliber of an animal, which would be arbitrary and must be treated in the industry may be under question.

14. Air 1993, the Supreme Court's 2178 "Unni Krishnan, AP, V. State Party" in Section 21 of the human dignity and all that goes along with it in order to include the right to live with this Court has explicated. "Flow directly from the right to life, the right to
edification." In other words, the right to inculcation, the third part of the fundamental rights enshrined in the Constitution is concomitant to. State for the benefit of all levels of inculcative institutions is under a Constitutional mandate.

"Edification can not be circumscribed to the profits richer classes. Air 2000 Supreme Court 1669 "Gopal V. State of Karnataka," it is a breach of the dignity of the victims of sexual nonchalance posture towards the society on a woebegone reflection. We are the victims of a ravisher not only contravenes the privacy and personal integrity, and recollect that the process ineluctably causes earnest psychological as well as physical damage will be.

Rape is not just a physical attack - it is often destructive of the whole personality. A murderer, a ravisher, helpless female victim, you could damage the very spirit of the physical body. When inculpated of endeavouring to ravish a court, therefore, a great responsibility to be included. They have to deal with such cases with utmost sensitivity."

Expounded by the different international intuitions 'status': - International Human Rights Instruments and the right to life, liberty and security of personal dignity Part III of the Constitution of certain rights under international human rights instruments to comply with the rules. However, some of the assurances provided by this type of instrument have been left intact. We are not consummately sure of the international human rights instruments by the life, liberty and security of the provisions relating to the right to be picked up.

1948 Human Rights (hereafter UDHR) Macrocosmic Declaration of life, liberty, and security of human rights, including the right to provide a series. Article 3 "Everyone's life, liberty and security of person have the right to." Article 4 stipulates a right against confirmed in slavery or servitude, and Section 5 provides the right.

Article 6 of the ICCPR "innate right to life of every human being. These rights should be bulwarked by law. No one shall be arbitrarily deprived of his life."

Section 9 of the risk of personal freedom and the right to freedom and the right to security of the person, the acoustic., No one can be arbitrarily detained or subject to detention. Except that no one will be deprived of his redemption and in accordance with such procedures is tenacious Infrastructure Act.

"This is the right of expeditious tribulation and the right to emolument for unlawful apprehend or detention, the right to be engendered afore a judicial ascendancy, the right to be apprised of the apprehend charge and are within the scope of the right. Essential for a fair tribulation with a number of rules in Section 14 of the ICCPR. The right to equity and the principles of equity and human rights jurisprudence to provide a modern standard stipulated in the acquiescent.
Life, liberty and the right to security in dealing with some of the other international human rights instruments. Economic, Convivial and Cultural Rights, 1966 (hereafter ICESCR) the International Covenant withal provides self-resoluteness and the right to gregarious security. ICESCR rights, livelihood and adequate living conditions, you have the right to work. 1981 Women (hereafter CEDAW) Convention on elimination of all forms of discrimination against women, the right to provide for their dignified life.

Elimination of violence against women on the consequentiality of the right to life again reaffirmed, liberation and security, and to fill the gap left by the provisions of the CEDAW.

Under Article 21 of the Constitution of India to understand the reproductive culls the size of a woman's right to personal freedom, there is no doubt that the scale. It procreate reproductive culls as well as collateral apperceive that has to be done away from procreating. The key consideration is a woman's right to privacy, dignity & physical integrity should be venerated. The use of contraceptive methods, such as the insistence reluct woman's right to engage in sexual activity, or as a substitute for the exercise of reproductive culls should be no restriction on the law.

Moreover, in addition to women undergoing sterilization procedures, such as birth control methods are free to operate. Taken to their logical conclusion, the reproductive rights of women to give birth to lunch & eventually raise children, have to bring a pregnancy to its full term. However, in the case of pregnant women for the future of the child's life, finding a 'compelling state interest' is measuring. Therefore, the law applies only to the end of a pregnancy when the grant is designated conditions have intercourse.

Enjoinment of smoking:-

In case of murali s deora vs. Coalescence of India & others, the Supreme Court has considered the objects & reasons of the Cigarettes (Regulation Engenderment, Supply & Distribution) Act, 1975 & issued certain Sections with a view to proscribe smoking in public places. Therefore it Fundamental Right of the Constitution of India, inter alia, under Article 21 shall be deprived of his life without due process of law ensures that none offers.

Then why is a non-smoker, if only because he needed to go to public places, sundry diseases, including lung cancer, or hearticle to be suffering from? It is indirectly depriving his disputably smoking is injurious to health & hygiene will be injuriously affected by the addition can be affected. In any case, there is no reason to compel smoking, air pollution helpless victims."
Court to take effective measures to ascertain proscribing smoking in public places, such as in public places & India are of the orders issued by the government and the rule of preclusion smoking in the direction as well as the territories of Amalgamation such as 1) auditoriums, 2) hospital building, 3) health institutions, 4) inculcative institutions, 5) libraries, 6) Court buildings, 7) public offices, 8) public conveyances including railways.

**Economic rights:**

By reading Article 21 along with the preamble to the Constitution Supreme Court has ruled that gregarious equity, right to economic equity right to economic equipollence, economic empowerment of the more impotent Section of the society constituted Fundamental Rights. The aim of convivial equity is to procure substantial degree of convivial, economic & political equipollence gregarious justices & equipollence is complementary to each other. & described as follows.

‘The rape of a woman (the victim), not only against the person is a malefaction; It is malefaction against society as a whole. It is the psychology of a woman pushes her into you & deep emotional crises. It can only come to her ravishment, looks down with contempt upon her, she rehabilitates himself in the community is by sheer force. Rape, and so it is very much malefaction. It is against the basic human rights is a malefaction & Fundamental Rights and Article 21 of the most prestigious in addition to the right to life of the victim was trespassing.'
Research Methodology

Consequentiality of Topic:-

The Topic to be researched is paramount for the following reason.

1. It is compulsory to study of Article 21, Right to life & personal liberty in India, especially as India is preparing to launch as a developed into the incipient era.
2. The right to life is the heart of Fundamental Rights & the study of right to life is indispensable.
3. Compensation given by the Article 21 in sundry writ petitions. So it is paramount to study.
4. As the world advances, incipient needs in sundry fields are emerged & they are become the right to life. So the study of Article 21 is compulsory.
5. Article 21, Right to life gives the aegis to the women & children by sundry rights. To study that rights are very consequential.
6. Prisoners have withal those rights, which are comes under right to life.
7. There is no life; there is no utilization of any other right. That’s why Right to life comes first & all others rights after this one. So the study of Right to Life & personal liberty is paramount.
8. No any country gives the absolute liberation to the individual. There is some restrictions & some freedoms that rights to life are consequential to study.

Justification in present era.

In present era the desideratum of rights are going developed. There are so many rights which are paramount to live life. Man can not live without their desiderata like shelter, aliment, cloth, dehydrogenate monoxide as well as dignity. There is so much consequentiality to the human being of this right relished by them is after the right of life. Life comes first & then comes rights so the right to life is very paramount than other rights. The scope of this Article 21 is expanded by sundry judgments given by Apex court. There are so many rights comes under the Right to life is personal liberty. These rights ameliorated the lifestyle of all human being as well as with dignity.
Objectives of the Research:-
1. Study the Article 21 according to sundry human Rights.
2. Study the scope of Article 2 with regarding civil laws.
3. Study the scope of Article 21 regarding malefactor laws.
4. To analyses paramount case laws pronounced by courts.
5. Study the rights comes under Article 21 except Fundamental Right for live better life.
6. Comparative study Article 21, Right to life with other Articles & section in Constitution of India.
7. Study the compensations given by Article 21 in sundry writ petitions.
Hypothesis:-
1. The right to life include the right include the right to livelihood. 2. The supreme court of India has examined the scope of Article 21 in different occasions ascertain the constraints within which the assurance of personal liberty is available to the people of India.
3. Article 19 & 21 are not dihydrogen monoxide right compartments.
4. Personal freedom of expression has its full meaning in Maneka Gandhi V. coalescence of India.
5. Whether delay in executing death sentence should result in contravention of Article 21.
6. Natural equity is a pervasive doctrine integral to process full equitable play in Indian jurisprudence.
7. Prisoners have not right to live life like other citizens.
8. Supreme Court in felicitous cases awarded emolument in case of contravention of Article 21.
METHODOLOGY:

Doctrinal method will be use for this research withal comparative research will be done with a few articles & sections. In this method sundry law books will be source of research. Citation of cases, Judgments comments of Judges, sundry law journals, internet, law articles, law reports etc. will be the source of research.

This book public interest litigation already had undergone three editions within a short span of time. The subject public interest litigation. Indubitably is a subject of utmost public paramountcy. In the recent times the Apex court expressed displeasure over the nature of public interest litigations which are being filed afore the Constitutional courts.


A great deal of mystification subsists in judicial pronouncements due to the very wide interpretation given to Article 14 of the Constitution. As a result thereof the entire canon of the principles of administrative law has become a component of Article 14. in an obliteration of the dividing line between the case where Article 14 in its true sense & spirit is infringed & other cases where an action is challenged on the ground of non-compliance of the fundamental principles of administrative law.


The subject of the Indian Constitution is of great interest to the people of India & equity khanna has traced out the sundry changes made in the draft of the Constitution of India during its passage through the constituent assembly & the final shape given to the Constitution. He is integrated his own comments on sundry aspects of the Constitution.

4) Granville Austin: -A nation's Indian Constitution cornerstone. Indian father and mother of the nation's ideals and institutions & the process of getting a founder. The ideal of national unity and integrity & a democratic and equitable society. Incipient use constitutional democratic institutions of society with a democratic spirit convivial economic revolution by purvey was to be achieved.

5) D.J. De – The Constitution of India 3rd edition volume 3

Endowed with task of drawn up Constitution Assembly adopted the resolution providing of amendment of the Constitution.
6) H.M. Servai, Constitutional law of India fourth Edition – Volume 3

This book including very plenary adenoma contains a critical discussion of several consequential judgments of the Supreme Court. These include the Second judge’s case, S.R. Bommai v. Union of India (The Babari Masjid Case) Art. Gen for India v. Amitlal priyandas (The COFEPOSA case) Kartar Sing v. State of Punjab (The TADA Case) sub committee on judicial accountability v. Amalgamation of India. Several recent & paramount English Judgments has withal been noted & critically analyzed.

7. M.V. Pylee – Constitutions of the world.

Constitution of world is a unique publication consisting of 39 Constitutions of the world. Firm Albania to Amalgamated States of America, It covers a wide spectrum. There are Constitutions whose texts run into hundreds of pages. At the same time there are others which are quite brief.


In this book research on judicial Activism, judicial decisions in which the courts had articulated the rudimentary structure circumscription on the puissance of parliament to amend the Constitution.

The Goal of Indian Constitution system is to establish a welfare State.

9) Editor – V.P. Prdhan, the Indian Constitution= (Epitomized Minuscule guide Amended till date) 2007.

In this book author given explication about Constitutional betokens a body of laws according to which the country is governed or in other words. It signifies a document having a special fundamental structure of the political system under which the people are to be ruled. The Constitution of India is the supreme law of the land & can be termed as fundamental law of country which reflects people faith & aspirations.


This book is case its denomination imports an exordium to the study of the law of the Constitution. It does not pretend to be even a summary, much less a consummate account of Constitutional law. It deals only with two or there guiding principles which pervade the modern Constitution of England.
11) B. Shiva Rao, Dr. Subhash Kashyap
The framing of India’s Constitution, a study.
The work of the constituent Assembly & the drawing up of India’s Constitution occupies a pre-eminent place in the recent history of India. A comprehensive & an objective study have been composed of this subject in all its facets.
This volume is an affluent store-house of source material for the study of Indian Constitution. Our Constitution has adopted adult suffrage.

12) Jeffrey to well & Down Oliver – The transmuting Constitution – 4th edition
In some ways, constitute hammer blows against our Benthamite & decay traditions perhaps the greatest changes has been the Human Right Act 1998, which required all bodies exercising public functions not be offend those fundamental human rights set out in the European convention on Human Rights.

ISBN – 81-93-80087-12-2
Dr. Ambedkar is perennial personality in the sense that his vocation & contribution are volume sagacious multifarious & multi- dimensional & consequently perpetuate to have pertinence to the Indian people in fluctuating for tunes of their democratic his life was the super – architect, among a few others, of the Indian Constitution itself.

14) T.M. Cooley – A Treatise on the Constitutional inhibitions – The legislative power of the States of the American Cumulation 2005
All the real ‘indite, direction and control or verbalization or abridge the freedom of the press should be made, that is right, and being responsible for the abuse of law, any subject can publish your emotions. Public capacity, or officer or person in the official publication of the paper investigates the conduct of the trial for the publication of the evidence in this case and the jury will be published in the slanderous indictments for the truth of the theory can be found in the public information is congruous & facts when Judge.

15) Dr. Subhash C. Kashyap – Constitution making since 1950, an overview volume 6
This volume commences with a valuable Prelude of the Constitutional amendments in India, the types of amendments, the variants of amending procedures the constraints on the amending powers of parliament, the validity of the Fundamental Features of Doctrines etc.
The documents included cover the full texts of all the 92 Amendments effected update with their objects & reasons, legislative history, dates of passage in the two houses of Parliament, ratification by States where indispensable presidents assent. Etc. All the documentation & analysis are predicated on authentic source material.


The Regime of India has promulgated on 1st February 2007, to enable Prasar Bharati to apportion the broadcast signal of International cricket matches involving India. The Cumulation Cabinet promulgated an ordinance that makes it obligatory for the rights holders of sporting events to apportion advertisements tree live broadcast signals with all Prasar Bharti platforms on a revenue – sharing substratum.

17) Prof. Ranbir Singh & Prof. A Lakshminath – Fiscal Federalism Constitutional conspectus 1st edition – 2005

This book has been indited in the backdrop of the law & economics forms of kineticism that is steadily gaining momentum across the world. This concept emerging gradually but surely from being something of mere academic paramountcy, to one that has very practical authentic life application. This book undertakes a detail review of the Constitutional provisions & the cognate judicial interpretation, which has been both exalted & condemned in equal quantities.


This book has introduced incipient cases, none of which could well have been omitted. But infelicitously most of them had to beset out more authentically than we should have relished, & as many as twenty four cases or statutes had to be jettisoned to make room for them. Against that may be the fact that may of them our summarized incidentally & critically in the incipient dimensions included while others have been overtaken by incipient developments & historically in Exordiums.

19) Frederic – Constitutional concernment & democracy – 4 the edition

In the mean time, momentous changes have taken place in the world which has greatly affected the theory & practice of Constitutionalism. In America a series of decisions by the Supreme Court have opened up deep issues & revived remotely ideological concerns
over the designation & content of this oldest of indited Constitutions, Conclusively, but by no
denotes unimportantly theoretical discussion & depth.

20) V.Parbrahma Sastri – Right to life & personal Liberty.

In Constitutional Jurisprudence, Right to life & personal liberty is the most valuable
among Fundamental Rights; Denuded of this there cannot be a full fledged human personality
at all. In this sense it looks that the shortest Article 21 has contravened the most sizably
voluminous liberation. As pointed by the Supreme Court in Unnikrishanan V. State of
Andhra Pradesh has been ever expending in to its sweep rights such as the right to go abroad
right to privacy right to medical assistance etc. Containment & right against custodial
violence have expanded the connotation of Personal liberty & its paramountcy.

21) James Vadackumchery – Human Rights & the police in India.

Violations of Human Rights by the police become a topic of discussion in the press,
media & meetings of citizens everywhere in the country. Dharma’s, demonstrations hurtles
and bandhs are organized by people & political parties against police atrocities. The police
are not to contravene human rights rather they are licitly bound to bulwark them.

22) Shailaja Chandar Author – Equity V.R. Krishna Iyyer on Fundamental Rights & directive
principals – 1998

Indian Constitutionhas been particularly shaped & reshaped through the judicial
process. It is not doubt true that the apex court has played paramount role in era of
Constitutional jurisprudence. In the field of Constitutional law, Fundamental Rights &
directive principles occupy subgenre’s position. It explicated the relationship between the
Fundamental Rights & directive principles.

23) B.P.Dwivedi– The transmuting dimension of personal liberty in India–1993

Liberty is a dynamic concept. Each word of Article 21 has been subject to close
judicial scrutiny. The Indian judiciary has shown soft corner in administration of malefactor
equity & equity to the poor & down trodden courts have shown great dynamism in the fields
of right to bail, licit avail, expeditious tribulation & human conditions in prisons & homes for
the custody of women & children, & the capital penalization.

24) Kanhaiyalal Sharma – ReConstitutionof the Constitutionof India.
In India book Author analyzed the prisoners of Constitutionof Bharat National Commission to review the working of the Constitution(NCRWC) exordium & summarily of recommend actions gives very limpidly legislature can not be competent to make a malefactor law retrospective so as to provide that a person may be convicted.

A law is verbalized to be prospective when it affects acts done or omission made after the law comes in to effect. The majority of laws are prospective in their operation but sometimes the legislative may give retrospective effect in law, that is to verbally express to bring within the operation of the law not only future acts & omissions but withal acts or omission committed even prior to the enactment of the law in question.

In this book historical background of the Indian Constitution very pellucidly. Nature & kinds of the Constitution are prescribed.
The doctrine of legitimates. Exception has now occupied a consequential place in the public law. This doctrine has been discussed under chapter II of the book.

Constitution of India has 22 components & it contains 395 Articles. In the course of time 21 Articles omitting those reiterated & incipient Article numbering 75 have been integrated. The integrated Article are given a suffix of alphabets. Hence the number given in decisions by the Supreme Court have opened up deep issues & revived remotely ideological concerns over the designation & content of this oldest of indited Constitutions, Conclusively, but by no denotes unimportantly theoretical discussion & depth.

In this book the syllabi of Bar council of India & different universities along with National law Institutes. The author has referred to the books listed in Bibliography & he expresses his profound gratitude to the eminent authors & publishers of the books referred to.

29) Prof. Narendar Kumar - Constitutional Law of India.
In this book, Constitution being a living document its provisions have to be construed, having regard to march time, the development of law the transmuting convivial, economic, political values of the society & its people.


According in many areas, Constitutional law has been substantially transformed from other edition of this book.

Since 1978 there have been many paramount Constitutional cases & development which have been integrated in this book. All the incipient development has been taken in this book.

31) C I T Shoose -

Justice delayed is equity gainsaid Bulwarking Mines against occupational injuries comments on Mankayi V Anglogold Ashanti Ltd 2011 32 I LJ 545 (cc)

Constitutional Court disease in 1993, 130 (COIDA) and Section 100 of the Act to pay for occupational injuries by the interpretation of the provisions of Article 35 was asked to give meaning & Resolutions, 2011, 32 LJ 545 (CC) Mankayi V Anglogold Ashant Ltd. (2) food and occupational disease in 78 of the 1973 Act.

32) A du Plesis; C Rautenbench - Licit Perspectives in the Role of culture in sustainable development

This Article introduces some licit perspective on the role of culture in sustainable development. The author accedes that sustainable development has been designed as an environmental concept but that room subsists for the more prominent equation.

33) Ester Kirs - Preserve the children of war Thought on child Recruitment.

This Article addresses the problematic & exigent questions arising from the phenounation of child soldering. Children are frugal, duteous & facile to engage in tearless killing.

34) FW de Klerk - A future Perspective on Constitutional stability

Former State President F W de Clerk an alumnus of potchet stroom distributed the seventh lecture in a series bearing his denomination last year in October 2nd of February of 2011 Currently, non-racial constitutional democracy is the twentieth anniversary of the establishment of the commencement of the process that led to the transformation.
   On 3 September 2008 the ground chamber of the European court of Equity (ECJ) distributed its long awaited judgment in joined cases C-402/05 P Yassin Abdullah Kadi & Barkaat International Substructure V council & commission.

36) D Smith; VduPlessis - Sexual Harassment in the Edification Sector.
   Education should safely shape the minds & postures of puerile adults & children, especially with the loco par antis principle in mind. Puerile adults who have experienced sexual harassment in the very environment that should have forfended them as learners suffer great from convivial quandaries & from emotional & academic strain.

37) M.Reyneke – The Right to dignity & restorative equity in school
   A retributive & punitive approach is normality adopted in dealing with misconduct in South African Schools. Deposit the licit abolition of corporal penalization more than 50 percent of schools still administer it. Other forms of penalization generally applied are withal punitive in dignity of all of the parties affected by misconduct in schools are considered in this analysis.

38) Steven Devis – Privacy, Rights & Moral Values.
   First set out the nature of Rights & distinguish licit & moral rights. Second in what sense privacy is a licit right in Canada & argues that it does not follow from this that it is a moral right.

39) Y.A.Vavda & F Variawa – Challenges controlling health care worker sin regimes ARV Rollort: Rights & Responsibilities.
   HCWS play a vital role in the implicative insinuations of the corn treys. Health policy & the provision of health care accommodations.

40) Letch Garlicki – Constitutional Value & the Strasbourg court, Acta societatis Martanisis, Each national Constitutional proclaims a set of values that determine the designation of its provisions. While these are no clear cut values Principles & norms all Constitutions contain some very general nations that may accommodate as a substructure in the process of Constitutional interpretation.
41) Book’s name : - the Constitutional law of India  
Author’s name - prof. Kailash rai  
Book review

In this book historical background of the Indian Constitution very limpidly nature & kinds of the Constitution are prescribe.

The doctrine of legitimate exception has, now occupied a paramount place in the public law. This doctrine has been discussed under chapter ix of the book. According to chapter 43 has the emoluments of president, vice-president & governors & the salary of the judges of the supreme court & high court have been verbally expressed with reference to the latest amendments.

42) Book’s name : - the Constitutional law of India  
Author’s name - N.K.Acharya  
Book review

Constitution of India has 22 parts & it contains 395 articles. In the course of time 21 articles excluding those repealed re-enacted & then again repealed were repealed and incipient article numbering 75 have been integrated. The integrated articles are given a suffix of alphabates. Hence the number given in the articles in the pristine constitution remains the same but each number of articles incremented.

43) Book’s name : - Constitutional Law  
Author’s name - S.R.myneni  
Book review

In this book the syllabi of bar council of India & different universities along with national law institutes. The author has referred to the books listed in bibliography and he expresses his profound gratitude to the eminent authors and publishers of the books referred to. The author has referred to the books listed in bibliography and he expresses his profound gratitude to the eminent authors and publishers of the books referred to.

44) Book’s name : - Constitutional Law of India  
Author’s name - Prof. Narender Kumar  
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45) Book’s name : - Indian Constitutional Law.
Author’s name : - M.P.Jain

Book review

Accordingly, in many areas, constitutional law has been substantially transformed from other additament of this book.

Since 1978, there have been many consequential constitutional cases and developments which have been integrated in this book. All the incipient developments have been taken in this book.

This work purports to expound the law as it stood at the cessation of 1986 and all the salient mentionable developments have been taken.

46) Title : - justice delayed is equity gainsaid bulwarking mines against occupational injuries and desease comments on makayi v anglogold ashanti ltd.2011 32Ilj 545 (cc)
Author: - c i t shoose
Journal: - potch of stroom electronic law journal
I ssn : - 17273781
Year : - 2011

In the makayi V anglogold ashant LTD. Occupational injuries emoluments for the interpretation of the provision of Article 35 by the Constitutional Court was called upon to give meaning and concept 2011 32 ilj 545 (CC) 1993 (coida) and section act.130 diseases 100 (2) Occupational Diseases in Mines and Works warks is. 78 of 1973.

47) Title : - legal perspectives on the role of culture in sustainable development
Author: - a a dupleis c rautenbach
Journal: - potch of stroom electronic law journal
I ssn : - 17273781
This article introduces some licit prespective on the role of culture in sustainable development. The authors concur that sustainable development has been designed as an environmental concept but that room subsists for the more prominent equation. It is shown that the filled natural meaning of culture may require a diversion between the role of culture per & the role of cultural governance as a notion any be alistanet and exact than it self.

48) Title : - save the children of war noetic conceptions on child recruitment.
Author: - exzter kirs
Journal: - acta societate is martensis
Issn : - 17363918
Ei ssn : - 17363926
Year : - 2006

This article adresses the problematic & exigent questions arising from the phenomon of child soldierin children are frugal, compliant and & facile to engange in valiant killing. These characeri stics compel the bellwethers of ormed grovps to cull children for amending their armed forces. Fighting, lack of family and all the abuse which child soldievers ruffer which child soldievrs ruffer causes beyond the physical damage very seriouns psycho gregarious quandaries.

49) Title : - a future perspective on Constitutional stability
Author: - fw de klerk
Journal: - potchefstrom electronic law journal
Issn : - 17273781
Year : - 2010

Former state president fw de klerk, an alumus of potchef stroom distributed the seventh lecture in a series bearing his denomination last year in October the 2nd of February of 2011. Present non-racial constitutional democracy that led to the founding of the twentieth anniversary of the conversion process will start. In short Constitutionis the indispensable basis of national witty and abiding hope ofcontinued liberation, prosperity and stability.

50) Title : - judgement of the european court of equity in kedi challenges to International law, the Coalesced Nations sanctions regime and fundamental right.
Author : - siri aulik
On 3 September 2008, the grand chamber of the European court of equity (ecj) distributed its longawaited judgement in joined cases c-402/05 yassin abdullah kadi & barkat international substructure v council & commission. In its decision, the ecj set aside two judgements of the court of first instance (cfi), in which the cfi held that it had no jurisdiction to review measures adopted by the community giving effect to resolutions of the amalgamated nations security council.

51) Title :- sexual harrassment in the inculcation sector
Author :- d. Smit; v du plessis
Journal :- pothefsfroom electronic law journal
I ssn :- 17273781
Eissn :- 17363926
Year :- 2011

Inculcation should safely shape the mindsand attiudes of puerile adults and children, especially with the loco parants principle in mind yound adults who have experienced sexual harassment in the very environment that should have bulwarked them as learners suffer greatly from convivial quandaries and form emotional & academic strain.

52) Title :- the right to dignity & restorative equity in schools
Author :- m reyneke
Journal :- pothefsfroom electronic law journal
I ssn :- 17273781
Year :- 2011

A retributine & runitive approach is customarily adoped in dealing with misconduct in South African schools deposit the licit obolition of corporal penalization, more than 50 perent of schools, still administer it. Other forms of punishment generally applied are withal punitive in nature. The reight to dignity of all of the porties affected by misbehaviawr in schools are considered in this analysis.

53) Title :- privacy, right & moral values
First, set out the nature of right & distinguish licit & moral rights recond, in what sense privacy is a licit right in canada & argue that it does not follow from this that it is a moral right sundry endeavors to designate the nature of privacy & show how it relates to a loss of & an intrusion into ones privacy. Fifth, distinguished a loss of privacy from privacy.

54) Title :- challenges confronting health care workers in movement are rollout rights & responsibilities
Author :- y a vaduda & f variawa
Journal :- per
Eissn :- 1727-3781

Hows play vital role in the implementation of the countries heath policy & the provision of heath care accommodations. They hane the responsibility of ascertaining that the regime health policies are translated into effecteive & efficient accommodation distribution. However, their rights are after overlooked, and many hcw,s are subject to poor working conditions, long hours and in adequated remuneration. As a result many hcws have chooseh to leave the public health sector.

55) Title :- councitutional valves & the rtrasbowrg court
Author :- letch garliaki
Journal :- acts rocietas martensis
Issm :- 17363919
Eissm :- 17363926
Year :- 2010

Each national Constitutionproclaims a set of values that determine that meaning of its provisions. While there are no clear cut “values, principlies & norms all Constitutions contain some very general notions that may revve as a substratum in the process of cunstitutional intersprtation.the question addressed in this auticte is whether the same phenomenon can be
observed of the european leavel at least in reverence to the european convention of human right.

56) Title: “the road less travelled”: article 21a and the fundamental right
To primary edification in India
32 Indian j. Const. L.
Brown v. Board of edification, 349 u.s. 294, 301 (1955).
38 gregarious welfare rights at 1910.

These fundamental rights jurisprudence in India to offer a comprehensive review is beyond the scope of this article. The following overview of the constitutional remedies for violation of fundamental rights - Article 21a constitutional jurisprudence in India a fundamentally different challenge for the discussions that follow the same explicate contextualize, and is designed to take advantage.

57) Title: Right to life – personal liberty and right against arbitrary detention
Author: - mahesh arora on apr 15, 2014 |

The right to life in our Constitution constitute the most fundamental right rudimental. Amendment 44 in 1978 and 21 (right to life) (right sentence for the crime in cognation) fundamental rights under Article 20 at the time of the crisis can be taken away (i.e. Article 20 and 21 are justiciable even at time of emergency).

58) Government and Parliament of India and the state government and within India or the state government-controlled area in India, the United States and each assembly includes all local or other influential celebrity.

59) Designation:-article 21 of Constitution of India and right to Livelihood
Author: - Neepa Jain
Abstract
A human being, man's only complete the desiderata of animals is not known, as in any organized society, the right to stay. He himself had assured each facility to develop and inhibit his Magnifier, which is exempt from the ban, whereas it is only safe. All human rights are designed to achieve this object. Right implicatively pabulum, dihydrogen monoxide,
decent environment, inculcation, shelter, medical care and authority to ensure that in any civilized society insinuates. Article as employed by the word 'life'

60) Designation:-homosexuality
Author: -amit kumar sinha.

Section 377 of the IPC, which is embodied in article 14 of the Constitution, and the expulsion order and 21. contravenes suffers from the vice and it is therefore fairly and equitably in violation of Article 14. In addition to the intransigently violation of their right under the target homosexuals or homosexual community life in a way that is arbitrary and article 21. Article 21 expanded the scope and ambit of the right to personal liberty enshrined in QUA but on the fundamental rights to privacy, the right to expand the most important for the future development of the law of sowing seeds.

61) Designation:-article 21 of the Constitution of India – discussed! By negi mohita Indian Constitution

Article 21 of the Constitution of India!

The right to life and personal liberty is ensured by the Indian Constitution in part iii under the category of right to liberation (articles 19-22). According to the procedure established by law the right to life and personal liberty is guaranteed by Article 21 of the Constitution of India.

62) Constitutional development in India: contribution of equity k. Subba
Author: twarakavi venkata subba rao
Edition: Deep & deep publications, 1992

Book review:

Indian Constitution and This book charts the course of four decades of constitutional reform in the country offers a complex insight.
64) Denomination: the Constitution of India - a commemorative edition on 50 years of Indian Constitution
Edition: 2000
This is a wondrous treatise and a state-of-the-art engenderment of the Indian Constitution. It not only provides the consummate and the latest text of the Constitution, resplendently printed on very fine paper, but additionally it gives detailed exposition of *framing of the Constitution

65) Denomination: Supreme Court guide to words & phrases
Author: goyle
Being a guide on words and phrases as defined by the supreme court of India under sundry civil and malefactor laws, including the root meaning of each such word.

The Indian Constitution - cornerstone of a nation
Granville Austin 1972, paperback reprint 2013. This work of his, a classic on the subject, is the political history of the Constitution.

66) Denomination: civil liberty under Indian Constitution
Author: j.pandey & r.k.dubey
Edition: 1995
The cases referred to above have been discussed at the opportune places in the book. In the cull of the cases the author has exercised his full desertion. The issue on which the law is not well settled, the conflicting views have been verbalized and explicated & an endeavor has been made to derive conclusion as to the present position of the law.

67) Designation: human rights under the Indian Constitution - the philosophy and judicial author:- gerrymandering
P.l.mehta & n.verma
Edition: 1999
Part iii enumerates the fundamental rights granted to the citizens.
Part iv integrates a list of obligations which the citizens should follow as their obligations,
Part v onwards the Constitution lays down the rules of administration such as the composition of the executive part. Part vi deals with the organization & administration of the verbalized which as on today number 28 & the amalgamation territories which unnumber 7. It may be noted here that the states in India are not independent and have no right to secede from the cumulation.

Denomination: Indian Constitution - an appraisal

68) Author: Vishoo Bhagwan
Edition: 7th revised edition 1999

No advocate in India can be successful in profession without having in depth study of the Constitution of India. The fundamental law of the land. In India Constitution of India, the fundamental law is not made, but it has been evolved. This of book the fill in the lacuna the author presents his books in two components. It students amicable book, text book.

69) Denomination: guide to Constitution of India (hindi)
Author: N.K. Sharma
For S.A.S & J.A.O. (civil) exams in hindi.

The author has sought to express perplexed conceptions with pellucidity & precision, utilizing as few words as possible. The work incorporates all the paramount judgement of the apex court and the high court reported into June 2008. In order to accommodate the incremented attention given to human rights as well as the growing consequentiality of the constitutional law.

70) Designation: the Constitution and the Indian paradox
Author: Dr. S.N. Singh, for inst. For applied research & development, Lucknow
Edition: 2001

The book endeavors to examine sundry issues connected with the working of Indian Constitution. It additionally endeavors to analyse the possibilities of an alternative framework for the country as well. It has four sections covering contributions by sundry academics on different themes, apart from the inaugural and valedictory addresses distributed by shri Vasant Sathe and Dr. Subhash Kashyap.

71) Designation: fifty years of Indian Constitution
This work deals with many facets of the working of the Indian Constitution during its first half century, with analysis of some of the fundamental quandaries that have afflicted our civil society.

72) Designation: licit and Constitutional history of India - antediluvian licit, judicial and Constitutional system
Author: - equity m.rama joshi
Edition: reprint 2014
This master work is the peregrination into our licit past and Constitutional roots. It is a work of great merit and learning, packed with information. Article 21 of the right to work and the right to life, in addition to all the finer values of life, including in its sweep through the metaphysical concept of subsistence takes life.

73) Designation: unfederal features of Indian Constitution
Author:-aladi aruna
Edition:2001
The author has exhaustively dealt with the anti-federal features of the Indian Constitution and compared them with the provisions of other federal Constitutions. The intention has been not only to advocate the autonomy for every state but additionally to expose the imperialistic powers being relished by the coalescence.

74) Denomination: commissions and omissions by Indian presidents and their conflicts with the prime ministers under the Constitution in 2 volume
Author:-Dr. Janak raj jai
Edition: 2001
This work is a unique effort to expose the indepth functioning of the Indian presidents and prime ministers. The volume 1 covers the period from 1950 to 1977, and the volume 2 covers the period from 1977 to 2001.

75) Designation: bharat ka samvidhan (hindi commentary of Constitutionof India) Author:-Dr. H.p.gupta, revised by equity girdhar malviya
The subject of Constitutional law is of consequentiality, of abiding interest & is perpetually in the process of development.
The book, it is hoped, will be of avail of the students of general disciplines such as law, political science, public administration.
On all paramount points, case law has been plenarily cited. Relevant facts of paramount cases and summary of the law liad down therein.

76) Designation: right to equipollence in the Indian Constitution: a gandhian perspective
Author:-shashi nath saraswati
Edition:2002
The book is an ocular perceiver-opener to those who are acclaiming ad nauseam the world over about the progress and achievement of parity in India, on the gandhian lines. It perforates deeply into gandhian viewpoints on the subject and the panacea prescribed by him and concludes that the ways and doents adopted are essentially un-gandhian and adoption of the western thought.

77) Denomination:law guide supplement for ll.m. Ingress (delhi) & other competitive exams jurisprudence & Indian Constitutional law
Author:-ashok k.jain
Edition:2002
Covering the law of jurisprudence & Indian Constitutional law. On major points, an adequate references have been made to foreign Constitution, particularly to those of the u.k., u.s.a, canada & australian so as to give a comparative perspective of the Indian Constitution. The third threat to the Constitution comes from executive neglect then fourth the threat to the Constitution emanates from executive incapacity Constitution emanates from the prosped of political subversion.

78) Denomination:law relating to auspice of human rights under the Indian Constitution and allied laws
Author:-equity palok basu, foreword by equity s.rajendra babu
The position in schools are more alarming. In south africa it has been found that 30 per cent of girls are ravished at school & that male learness & educators are the main culprits. The
single most consequential factor in achieving a prosperous arv rollont programme is the retution and enpansion of the preosch workforce.

79) Denomination:bharat ka samvidhan (hindi commentary of Constitutionof India)
Author:-Dr. H.p.gupta

Being the latest commentary on the Constitutionof India in hindi, as amended by the 83rd amendment act and the reorganisation acts no.28. 29 & 30 for formation of three incipient states of chhattisgarh, uttaranchal & jharkhand.In other words is there is a set of “preferred” values & principles of the conention refers to revetal values or principles of this find. In the case-law of the european court of human rights such “values” or “principles” have always played a consequential role.

80) Designation:words & phrases under the Constitution
Author:-k.p.chakravarti, revised by h.k.saharay & m.s.saharay

This book commends itself as a utiliz able companion to all readers who have to turn to the Constitutionof India for sundry purposes. It is enriched by the latest judicial pronouncements of the supreme court of India as well as the hight courts.

81) Designation: riddles of the Indian Constitution
Author:-r.c.jain
Edition: 2004

The contents of this book cast incipient light on the Constitutionof India particularly on its inception, enactment and subsequent amendments. It withal unearths the ideology obnubilated in the Constitutionand points out its intrinsical peril.

82) Designation:the Constitutionof India (latest bare act)
Author:-private publication
Edition:latest bare act

This is the latest text of the Constitutionof India, as amended by the Constitution(ninety fourth amendment) act, 2006.In the next section of the book, i examine Indian Constitutional Jurisprudence relating to fundamental rights generally and the right to Edification in particular.
83) Denomination:-the framing of India's Constitution (in 6 vols.)
Author:-b.shiva rao (ed.)

The regime of India contended that the right to peregrinate abroad was not included in
the expression ‘personal liberty’ & that passport was a political document to which no one
had a licit or Constitutional right the supreme court held that the right to peregrinate abroad
was a component of a person’s personal liberty’ within the denotement of article 21

84) Designation:-equity p.a.choudary’s vision and mission - Indian Constitutional governance
Author:-prof. B.errabbi & prof. M.sridhar, foreword by equity m.n.venkatachaliah
Edition:-2007

No one could be deprived of his right to peregrinate abroad except according to
procedure established by law. It may be taken or curtailed by following a fair, just &
plausible procedure established by a valid law, since a passport is compulsory to peregrinate
abroad, the passport cannot be gainsaid or can not be impounded except according to the
procedure established by law & the procedure established by law & the procedure so
established must be just, fair, & plausible.

85) Denomination:-law relating to aegis of human rights under the Indian Constitution and
allied laws
Author:-equity palok basu, foreword by equity s.rajendra babu

One person & punishment for the commission of a malefaction trial and therefore be
deprived of his life or freedom was in a bad pain where, according to the procedure specified
by the law have been prosecuted, but the process must be such, that was not enough, that is
just fair and plausible.

86) Denomination:-Constitutional law and the governance
Author:-sukhbir bhatnagar
Edition:-2008

Article 21 has both negative & affirmative contents. Positive rights, thus been held to be
well conferred under article 21. Bulwark of article 21 is well elongated to under tribulations,
prisoners & even to the convicts.
87) Designation: commissions and omissions by Indian presidents and their conflicts with the prime ministers under the Constitution in 2 volume  
Author: Dr. Janak raj jai  
Edition: 2001  
The right to appeal while holding as integral to fair procedure, the court expounded that the two consequential ingredients of the right to appeal are: (a) accommodation of a facsimile of If a judgment or licit prisoner in time to help the poor is safe and free of illegal accommodation in an appeal from a prisoner who is incapacitated (b) the provision to enable file.

88) Denomination: your guide to Constitution- human rights, judiciary & parliament  
Author: Philip kent (ed.)  
Edition: 2005  
This is a comprehensive book that deals with all the aspects of Indian Constitution and its cognate law enforcing and enacting agencies. It explicates the Constitutional provisions of seminal consequentiality with pellucidity. It examines the working process of parliament of India, Indian judicial system and other auxiliary agencies to the minutest details. It additionally gives a clear picture of the fundamental rights.

89) Designation: land laws under the Constitution of India Author: Dr. N.maheshwara swamy  
Edition: 2005  
This book, divided into six components, consists of central laws. It has history of land reforms, laws of land acquisition, law of urban land ceiling, brief description of land tenures and tenancy laws, law of regulation of alienation of land in schedule tribal areas, and laws dealing with forest lands in India.

90) Designation: licit and Constitutional history of India - archaic licit, judicial and Constitutional system  
Author: equity m.rama jois  
Edition: reprint 2014  
Article 21, to live with human dignity violated the right to liberty. He is associated with other impuissant section of society, whereas optically no violation of the fundamental right of any person to understand that there is a Constitution obligation, has barely been exploited, that
a vigorous and powerful opponent Unable to fight a licit against. The governance of tenure of both the Central and State court created by the Parliament 'convivial welfare and labor law are bound to find.

91) Designation:-politics and ethics of the Indian Constitution
Author:-Rajeev bhargava (ed.)
Under the Supreme Court's fundamental rights and individual freedom in the office on that accentuate it has been pointed out that a large consequentiality and Copy Ness and managing & leading nationality, convivial and be the goal of economic equality can not.

92) Designation:-land laws under the Constitution of India
Author:-Dr. N.maheshwara swamy
Edition:-2005
In this book, Bhagwati j. Many verbalizing a contractor employed workers under labor laws sundry grants rights & benefits limpidly any of the rights of workers to a pellucidly & Rudimental human dignity to workers deprived of the benefits & it is intended to be carried out to ascertain the infringement of Article 21.

93) Designation:-concise encyclopaedia of Indian Constitution
Author:-subhash c.kashyap & shaunak kashyap
Edition:-2009
Right to subsistence livelihood expedient expedient way of life that no man can live without the boredom of the right to life.It will be deprived him of the right to subsistence livelihood to the point of canceling part & parcel of the constitutional right to life, the life of a person deprived of his right to not be the easy way.

94) Denomination:-Indian licit and Constitutional history
Author:-prof. Kailash rai
Premature only livelihood of the content of its strength and its energy content and meaningfulness of life, life was not known, but it infeasible to life to live and still life are of such premature if not in accordance with the procedure established by law livelihood there will be a component of the right to life is not regarded.
95) Denomination:-India's Constitution- inchoations and evolution (vol. 1)
Author:-samaraditya pal (senior advocate)
Edition:-2014

Article 21 freedom from exploitation, the right to live with human dignity. Anyone visually is a violation of a fundamental right of the community to feel more impuissant section and which is associated with a vigorous & puissant against opponents unable to fight a licit, especially because, when the state has a constitutional obligation to spoil him. Both governance of tenure of Central and State.

96) Denomination:-Indian Constitution- conflicts and controversies
Author:-Dr. Subhash c.kashyap Edition:-2010

The governance of tenure of both the Central and State policy. A directive principles of state workers follow a life made by Parliament for the purpose of protecting the basic human dignity tribunal 'gregarious welfare and labor law, bound to ascertainis associated with the rights of human nature, and not a mechanical contrivance.

97) Denomination:-the state of the nation - in the context of Indian's Constitution
Author:-fali s. Nariman
Edition:-2013

A division of the High Court in this book to noise pollution free environment to live in right ensured by Article 21 of the Constitution which has been considered as one, which has been brought to our notice. These decisions and more of NCT of Delhi free advantage licit cell Sri sugan Chand Aggarwal alias bhagatji v. Government of nct.

98)

The right to life, liberty & individual. That any person except in accordance with the procedure established by law shall be deprived of his life or personal liberty offers. The supreme court vidya varma v. Shiv narain,14 has made it clear that article 21 only applies to the deprivation of life & personal liberty by the state & thus a person whose right to life or personal liberty is infringed by a private individual is required to seek his remedy under mundane law.
99) Denomination:-emergency Constitution and democracy: an Indian experience
Author:-n. M. Ghatate
Edition:-2011

So, according to the procedure established by law for any person, except with his life &
personal freedom can be lost. He is a citizen of the state in the life of every human being is
bound to forfend & freedom.

100) Denomination:-rudimentary structure Constitutionalism - revisiting kesavananda bharati
Edition:-2011

Kineticism satisfying the independence of India in 1919, MONTAGU- Chelmsford
Reforms & mk gandhi to elevate the importance of articulating the demand for civil rights
bellwethers of its position toward the mark of a transmutation of the First World War
experiences, the focus shifted from the standard necessary for assuring the freedom of all the
Indians in the Indian & British middle-ranking equipollence.

101) Designation:-the Constitution of Jammu & Kashmir
Author:-s.k.sharma, with a foreword by equity o.p.sharma
Edition:-2011

All of the bill by the Commonwealth, the liberation of the seven basic rights of the
individual liberty of conscience, freedom of expression, opinion, assembly redemption, and
non-discrimination on the ground of sex, Free Elementary & Free Initiative in 1925
categorically included demands for the use of public spaces.

102) Designation:-commentary on the Constitution of India (vol. 10 of a set of 10 vols.)
Edition:-8th editions, 2012

Article 21 states: in 1927 ". A person in his life or personal liberty except according to
procedure established by law shall be lost", INC Declaration on the Rights of the base Swaraj
'Constitution' against the oppression of the drafting committee of the solution provides a
secure Sentinels.

103) Denomination:-words & phrases under the Constitution
Author:-k.p.chakravarti, revised by h.k.saharay & m.s.saharay Edition:-2nd edition, 2003

Motilal Nehru led the 11-member committee, established in 1928, in its report
proposing to ensure the fundamental rights of all Indians, including the recommendations.
The rights that are adapted to the post-war European countries are similar to those of the American Constitution, the Bill & many of them were adopted from 1925.

104) Denomination:- reclaiming the vision - challenges of Indian Constitutional law and governance
Author:- p.p. Rao (senior advocate, supreme court of India) edited by Dr. Lokendra malik
Edition:- 2013

After the meeting in Karachi in 1931, many of the provisions of the directive fundamental right & principles, the Indian National Congress, including sundry parts of the Constitution, in the replica, civil rights & economic bulwark also adopted a resolution committing the land reforms, efforts to provide security gregarious putting Terminus & implementation of the goals expressed in the words of liberation.

105) Denomination:- working a democratic Constitution- history of the Indian experience
Author:- granville austin

Other first rights offering convivial Security & land reforms, the resolution proposed. The other feature of the proposed resolution of the rights of the state preclusion, macrocosmic adult suffrage, and the abolition of capital redemption penalties & kineticism.

106) Denomination:- Author:- durga das basu, revised by equity y.v.chandrachud, equity s.s.subramani & equity b.p.banerjee

That article 21 & 19 (1) (d) is not equal to the contents of the subject, the Supreme Court held in the case of Gopalan & the whole point of approximately 50 to narrow the scope of the proceeding would have been 21. In this case, the word 'deprivation' was construed in a narrow sense & the lack of article 19 (1) (d) does not come under the limit on the right to move out liberatingly.

107) Denomination:- electronic voting machines - unConstitutional and tamperable
Author:- subramanian swamy & s.kalyanaraman (eds.)
Edition:- 2010

Gopalan's case that expanded the scope of Article 21 of view or & it was held by various decisions of the Supreme Court, has been gradually modified some of the other
articles of the Constitution with the case of post Gopalannala was the case in respect of Article 21 of the leading law will surely need in prison, while home or restriction on a person's salvation, that interfere with a person set.

108) Denomination:--outlines of Indian licit & Constitutional history (including elements of Indian licit system)
Author:--prof. M.p.singh

The discretion of a penal law can be discussed with reference to article 19, Gopalan's case was later point in this issue. India Maneka Gandhi v. Combinations in the case of the Supreme Court opened an incipient aspect and action of his life or personal liberty can not deprive a person, that lay down.

109) Designation:--human rights under the Indian Constitution- the philosophy and judicial gerrymandering
Author:--p.l.mehta & n.verma
Edition:--1999

No person except according to procedure established by law deprived of his life or personal liberty that will be life.

110) Designation:-- Author:--durga das basu, revised by justices c.k.thakker, s.s.subramani, t.s.doabia & b.p.banerjee Edition:--8th editions, 2010
Encumbrance in favor of the constitutionality of a law in regard to the constitutional principles of & to show that there has been a clear violation of the person who is always there assails.

111) Designation:--the Constitutionof India (bare act with short notes for students)
Author:--a.r.khan
Edition:--2014

It means that the legislature should be hesitant to & appreciates the desideratum of its own people. The grounds are well acquainted with the appropriate laws made manifest by experience & its discretion by quandaries.
112) Designation:-the presidents of independent India - as Constitutional custodians and their profiles 1952-2007  
Author:-m.l.ahuja, foreword by Dr. G.v.g. Krishnamurty  
Edition:-2008  
   The legislature is in liberty to apperceive the degree of harm & may confine its restrictions to those cases, where the desideratum deemed to be the most pellucid.

113) Designation:-human right & Indian ConstitutionDr.b. R. Ambedkar's enduring legacies  
Author:-Dr. S.s. Dhaktode  
Edition:-2013 august  
   Take into consideration issues prevalent in the trial court the constitutionality of the statute of prevalent cases of postulation, and the history of the times can be considered as subsisting at the time of the law to pursue & concern that the facts of each state in order to postulate.

114) Designation:-law of writs  
Author:-equity p.s.narayana, with a foreword by equity n.y.hanumanthappa  
   Of law or of Constitutionality railigesana always can be carried to the extent of holding on which there is nothing on the face of circumventing conditions, if good faith and, on the part of an assembly while subsisting conditions erudition,are to be postulated bellicose or discrimination law to object to certain individuals or corporations for some undisclosed & unknown that must be clear.

115) Denomination:-the children's code  
Author:-equity v.r.krishna iyer  
Edition:-2012  
   The maintenance of public health, property, and so, so much the physical subsistence of this community are essential & this dude has the most seats in the Constitution, in our opinion makers, public health will depend on the building of a society which is envisaged to attend at the top is probably one of the high priority.

116) Denomination:-Supreme Court guide to words & phrases  
Author:-Goyle
Under Article 21 of the Constitution of India understand a woman's right to reproductive cells. In addition, there is no doubt that the amount of personal freedom. It should be away from procreating reproductive cells procreate, as well as the collateral that is agnize.

117) Designation:-the Constitutionof India - a commemorative edition on 50 years of Indian Constitution
Author:-subhash c.jain (member secretary, law commission of India)
Edition:-2000

The key consideration is a woman's right to privacy, dignity & physical integrity should be venerated. The use of contraceptive methods, such as engaging in sexual activity with a woman's right to reproductive cells, or as a substitute for the exercise of the insistence relunct given that there are no restrictions.

Designation:-Indian Constitution - an appraisal
Author:-vishoo bhagwan
Edition:-7th revised editions 1999

Moreover, in addition to women undergoing sterilization procedures, such as birth control methods to cull free. Taken to their logical conclusion, the reproductive rights of women qualified to carry a pregnancy to its full term birth & eventually have to raise children.

118) Denomination:-the Constitutionand the Indian paradox
Author:-Dr. S.n.singh, for inst. For applied research & development, lucknow
Edition:-2001

In addition, pregnant women bulwarking the future of the child's life is a 'compelling state interest' are. Therefore, the law applies only to the end of a pregnancy when the grant is designated conditions have intercourse.

119) Designation:-federalism and frictions in centre-state cognations - a comparative review of Indian and german Constitutions
Author:-prof. K.l.bhatia
Edition:-2001

Home & forfend personal intimacies should encompass any right to privacy, family, espousement, motherhood, procreation and child-bearing.
120) Denomination:-unfederal features of Indian Constitution
Author:-aladi aruna
Edition:-2001

Macrocosmic Declaration of Human Rights, 1948, article 12, no one, nor to attacks upon his honor & glory with his privacy, family, home or correspondence will be subjected to arbitrary interference "provides that. Everyone has the right to the encouragement of such interference or attacks Act".

121) Denomination:-Dr. Ambedkar and the Indian Constitution
Author:-prof. G.manoher rao (ed.)

The right to life includes right to privacy, but this right is not absolute & may be lawfully restricted for the obviation of malefaction, disorder or aegis of health & morals or aegis of rights & liberation of others.

122) Denomination:-Constitutional amendments in India
Author:-m.v.pylee

Under Article 21 of the Constitution of privacy and the right to life and the right to personal liberty enshrined in the fact that a part of the explicit provisions constituting a case of the right to privacy.

123) Denomination:-fifty years of Indian Constitution
Author:-d.n.gautam
Edition:-2001

The right to privacy, apart from the contract, in addition, commercial Matrimonial, or political relationship that may arise as a special concrete.As a matter of faith and, therefore, practitioners include moral and as bound to maintain confidentiality, professional Medico, patient relationships, primarily business is discussed above.

124) Denomination:-the Constitutionof India
Author:-d.j.de
The public disclosure of private facts apprised is also true that sometimes one person to another person, the right of the "right to live alone" could lead to a clash with the right to privacy may amount to an attack.

125) Denomination:-the composition and working of the Indian Constitution  
Author:-Dr. Shubani kinkar chaube, for nbt  
Edition:-2010, latest reprint  
Any perturbation of the fundamental environment elements, namely, air, dihydrogen monoxide & soil, which are obligatory for life would be hazardous to life within the denotement of article 21 of the Constitution.

126) Denomination:-civil liberty under Indian Constitution  
Author:-j.pandey & r.k.dubey  
Edition:-1995  
If anything, the Imperials or impairs the quality of life of shame laws, dihydrogen monoxide, which can be harmful to a person's quality of life or abridged article 32 or article 226 of air pollution sources to take.

127) Denomination:-the preamble (of Indian Constitution)  
Author:-deepa kansra  
Edition:-2013  
Without a healthy environment, it is a humane way to a healthy environment & human dignity can not be in line with the fact that a comprehensive right to live as healthy. The only rule is to safeguard the environment, so it is imperative to ascertain & felicitous.

128) Designation:-commentary on the Constitutionof India (vol. 1)  
Author:-durga das basu, s.s.subramani, with a foreword by equity m.n. Venkatachaliah  
Edition:-2014  
The right to live free dihydrogen monoxide pollution & air, full of life, the right to have the delectation of the delectation of the Constitution is a fundamental right under Article 21. If anything, the Imperials or impairs the quality of life of shame laws.

129) Designation:-India's Constitution- inceptions and evolution (articles 19 to 28) (vol. 2)  
Author:-samaraditya pal (senior advocate)
Each incident of sexual harassment at the workplace, Gender & life & the right to freedom ensured by the Constitution of India as a result of the violation of the fundamental right to the fundamental rights of the two most valuable is the gainsaying.

Eminent political scientists, sociologists, jurists, administrators, advocates, educationists and public men have converge in this prestigious work to present their perspectives on the Constitution of India. The volume additionally incorporates the report submitted by the ic committee on Constitutionheaded by Dr. Karan Singh. With this article is definitely on the right will be suspended except for

By the constitution.

This is being a fundamental book a prelude, systematically arranged and expounded, on the Constitution of India. The transmutation made by the different Constitution amendment acts upto the 98th amendment and the reorganisation of the states made by sundry statutes may be optically discerned at a glance. Further, high courts are additionally empowered to enforce fundamental Rights in the exercise of pristine jurisdiction under article 226 of the Constitution.

This book puts together in a single volume all the amendments made till date. It tells the procedure for amendments in Constitutions in brief, and then presents the amendment acts chronologically. It additionally comments on the nature of amendments made. Under Article 136 of the constitution, it will bring to add to the discretion of the jurisdiction, and "special
holiday allowed, if the Supreme Court in exercise of its powers under Article 226 F is an appeal against the High Court's decision, appeal”.

133) Denomination: Author:- n.k.behura & nilakantha panigrahi  
Edition: 2006

This book discusses issues such as indebtedness, excise policy, land tenure system, role of welfare agencies etc., which are directly concerned with the tribal people. Supreme Court under Article 226 and in the Supreme Court under Article 32 strong vested in the High Court judicial review, "an integral and essential feature of the Constitution", and its unamendable rudimentary structure, which is part of the logical.

134) Designation: case book on Indian Constitutional law  
Author:- Dr. Durga das basu  

This is an analytical commentary on the Indian Constitution with exhaustive case law references and digest. In the Indian context, ebony-letter jurisprudence circumventing article 32 is yielding important in treatment, that would raise questions about the rights of the stronger. At first glance it would appear that assumption about solid concrete rights and an obligatory connection between Tushnet is wrong remedies which understands then a more immediate analysis of the Indian title to the middle of the Indian Constitution, it is possible to jurisprudence.

135) Equity pachoudary’s vision and mission - Indian constitutional rule  
Author:- prof. B.errabbi & prof. M.sridhar, foreword by equity m.n.venkatachaliah  
Edition: 2007

This book contains, in a published form, some of the most paramount and consequential judgments of equity choudary on Constitutional issues which he distributed as a judge of the a.p. High court. As laid down by Article 13 of the laws of the volatile erratic or The extent of such inconsistency or shame, shame fundamental rights are treated as void.

136) Designation: the Constitution of India (in 3 vols.)  
Author:- d.j.de  
This is a comprehensive commentary on the Indian Constitution, with exhaustive case-law. Takes Away measure or conversely, beVoid extent, Constitution of Part III of India and contraventionOf in Article 13 shall be any of the rights conferred by law abridges, which is ordered not to make any law. So far it is a question of Article 21 of the noPerson or her life according to the procedure established by law, which shall be deprived of personal liberty Except give.

137) Denomination: Indian politics - Constitutional substructure and institutional functioning
Author:-prof. M.p.singh & rekha saxena
Edition: 2011

This book of India, the state / government / political system provides a comprehensive exordium. The composition of the Indian Constitution to describe Constitution and moves on with a detailed discussion on the nature of government, bureaucracy, the party system, and members of civil society. Add text to issue a joint womb, along with a wide topic and provides a potential.

138) Designation: making of India’s Constitution
Author:-equity h.r.khanna Edition: 2nd edition, 2012

This is a landmark work containing justice khanna`s lectures as well as his opinions in significant supreme court judgements. It is a must-have book for a better understanding of the Constitution of India.

Select dignity and a person's freedom of action at the root of the autonomy of the will of private. Human dignity, regardless provides more utility man, his humanity, and a person's physical and spiritual integrity rests on the recognition of the value.

139) Title: Indian Constitution
Author:-a.k.tripathi (ed.)
Edition: 2008

This book has been designed to highlight the importance of Constitutional amendments, directive principles, centre-state relations, judiciary, civil services, blackward classes etc. The stress has been given on the parliamentary and administrative procedure to ease the students of political science in different spheres. The issues have been described in brief and impressive manner for the students.
140) Title: the presidents of independent India - as Constitutional custodians and their profiles 1952-2007
Author:-m.l.ahuja, foreword by Dr. G.v.g. Krishnamurty
Edition: 2008

This book is in two parts. Part 1 contains five chapters about Indian presidency. Part 2 of the book profiles the president and Mrs. Dr. Rajendra Prasad continuous contributions. So proud of the constitutional position highlighting their role in implementing activities including President Pratibha Patil.

141) Author:-ibohal singh  Edition: 2009

An Indian constitution, parliament, central executive in-depth, the Supreme Court, the United States and the Union Territory, the state legislature, executive, municipality, federal system, legislative, financial, administrative relationships minority trade book include a detailed analysis and Commerce, political and civil rights, fundamental rights, the principles of state policy of freedom and security of direct basic duty.

142) Title: Ambedkar and the making of the Indian Constitution- a tribute to babasaheb b.r.ambedkar
Author:-H.V.Hande, with a foreword by Dr. A.p.j. Abdul kalam
Edition: 2009

At the time of his hard work and his erudition, Dr. BR Ambedkar, the world has become an authority on almost all the major constituent. He is considered one of the best view of the Constitution of India, has been hailed by the producer. This book is at different stages of its evolution, traces the contributions made by the Indian Constitution Dr. BR Ambedkar. On the eve of the most important articles of the Constitution talks about his speeches, interventions and responses, this book will be kept in book.

143) Title: Dr. Ambedkar and the Indian Constitution
Author:-prof. G.manoher rao (ed.)

This book has essays, papers and speeches by distinguished personalities on the subjects like: inclusive perspectives of Dr.ambedkar; Dr. Ambedkar and socio-economic justice; Dr. Ambedkar and Constitutionalism. The Constitution of India Articles 14, 19 and 22
so far by Article 21 and the light of such legislation as contemplated in this second type of weakness, which would rule such laws the Relevant article is concerned, the test will need.

144) Title: Constitutional law and the governance
Author:- sukhibir bhatnagar
Edition: 2008

This book is aimed at analysing the role of Constitutional law within a political framework, with a special accentuation on the Indian Constitutional law. Constitutional laws may be regarded as rulemaking of the second order, or rules which regulate the rules of exercising power within any political and licit set-up. It additionally governs and defines the inter-relationships of the judiciary, the legislative and executive, these bodies, being subservient to the ascendancy of the Constitutional law.

145) Designation: Indian licit Constitutional history
Author:- Dr. S.c.tripathi

Being a standard textbook for law students. The right to life and personal liberty for human rights, study great consequentiality postulates, which revolves around the most important motivation, is a basic human right. Study of the right to life, truly one of the fundamental human rights of the Supreme Court as the guardian is a study. The provision of Section 21 of the Indian Constitution and Celebrity occupies a unique position as a fundamental right.

146) Designation: the composition and working of the Indian Constitution
Author:- Dr. Shubani kinkar chaube, for nbt
Edition: 2010, latest reprint

The present book Constitution of a country, is a licit and therefore in terms of its prosperity is as much a political document, or other dependent, that is the meaning of this debate and political implementation.

150) Denomination: Constitutional law of India
Author:- prof. Kailash rai
Being a standard text book on the subject. This citizen and alien life and the right to personal freedom and is applied against a guarantee. Maneka Gandhi s interpretation of Article 21 in the case of incipient and Horizons of the right to life and personal liberty has been taken to an incipient phase of the expansion.

151) Designation: Indian licit and Constitutional history  
Author:- prof. Kailash rai  

The licit and Constitutional history of India is the peregrination into our licit past and Constitutional roots. The author has elaborately dealt with the antediluvian licit, judicial and Constitutional system that prevailed in India and compared it with the present licit system. He has given a composite treatment to the licit and Constitutional history of India.

152) Designation: Author:-rajeev bhargava (ed.)  

Much of the germinal work on the Indian Constitution has been done by licit experts and historians. The distinctiveness of this amassment of essays is its fixate on the Indian Constitution from the perspective of political theory. Contributors to this volume view the Constitution either as a political or as an ethical document, reflecting configurations of puissance and fascinates or articulating a moral vision.

153) Denomination: Indian Constitution- conflicts and controversies  
Author:-Dr. Subhash c.kashyap  
Edition: 2010  

This book is the key concept for the first time, and the key issue involves the interpretation of the provisions of the Constitution on many of the following information and opinions on a cull together. These were indited in replication to the controversies raised or arduous conflict situations than prevailing. The author was in some ways privy to some of the conflicts and had something to do with their resolution within the Constitutional framework.

154) Denomination: Constitutional amendments in India  
Author:- m.v.pylee  
This book together in a single volume for the amendment made to date with the very concept of Constitution of India along with the updated version of the Amendment Acts to influence its Constitution in relation to India, virtually everything. The Jammu and Kashmir to stay Constitution and to the text of the Constitution of Jammu and Kashmir, including editing.

155) Denomination: law of writs
Author: - equity p.s.narayana, with a foreword by equity n.y.hanumanthappa

This is commentary on the laws relating to writs and writ petitions, with latest case law. Maneka Gandhi’s interpretation of Article 21 in the case of incipient right to life and personal liberty of Horizons has been taken to an incipient stage of expansion. The broad direction right now Constitution might founder or may not have visualized that covers the aspect court.

156) Denomination: Constitution of India and Indian polity
Author: - kalpana rajaram (Ed.)

This minuscule book overviews the Constitution of India, its development and working, and analyses the political system in India. Very subsidiary for those seeking a concise erudition of the subject and for sundry competitive exams. The basic concept Newline the verbalised above explanation for such trained newline interpretation judicial revolution, along with righteous, the concept of the right to life and personal liberty development, denotement, width and depth with reference to an incipient should be considered, so that makes it necessary.

157) Denomination: Constitutional law of India (in 3 vols.) - a critical commentary (with free 'Constitution' by p.m.bakshi)
Author: - h. M. Seervai

This is perhaps the best indited commentary on the Constitution of India, accoladed by the bar and often quoted by the judiciary in judgements. It is running into three immensely colossal and comprehensive volumes. This is a set of three acclaimed volumes. Article 32 of the Regulations and Directive Principles of State Policy and Cognition 21 with international human rights instruments.
158) Denomination: Constitutional law of India  
Author:- prof. T.k.tpoe, revised by equity sujata v.manohar  
Edition: 3rd edition, 2010  
Running in over 1380 pages, this licit classic needs no prelude. It may be the best single volume commentary on the Constitution of India. Contains innovative conceptions and illuminating and thought inciting analysis. Yet, this is the right encouragement burning issues of the day. Therefore, this article has been adapted to modern standards, is an attempt to examine the bulwarking.

159) Denomination: the Constitution of India (english-hindi cumulated)  
Author:-mahender patel  
Edition: 2010  
This book is the diglot edition of the Constitution of India as amended upto 94th amendedment act, and Supreme Court (no. of judges) amendedment act, 2008. The right to life in our Constitution constitute the most fundamental right rudimental. Amendment 44 in 1978 and 21 (right to life) (right sentence for the crime in cognation) fundamental rights under Article 20 at the time of the crisis can be taken away(i.e. Article 20 and 21 are justiciable even at time of emergency).

160) Author:-Dr. Durga das basu  
Edition: 8th edition, latest reprint  
This is being one of the foremost and comprehensive commentaries on the Indian Constitution, running into total 11 books. That Article 21 or the right to life (procedure must be fair and just) as well as a separate legislative action provides the magic against not only against executive action and Menaka in case of arbitrary decisions of legislative action scheduledis also available against sc Gopalan's case (1950).

161) Denomination: Author:-durga das basu, revised by equity y.v.chandrachud, equity s.s.subramani & equity b.p.banerjee  
Being a comparative treatise on the macrocosmic principles of equity and Constitutional regime with special reference to the organic instrument of India. This monumental work, to be relinquished in 8 volumes, is a pioneering study of the Indian
Constitution—and perhaps the most comprehensive. This volume contains commentary on art. 124 to 224a.

162) Designation: writs and other Constitutional remedies
Author:-asim pandya (advocate)
Edition: 2009

One of a remedy to enforce a right without esse can not imagine. This book is a `right’, ie, in an opposite aspect of treatment is to provide an understanding and sundry 'licit aspect Constitutionof under Art 226 of India in detail about the jurisdiction of the High Court was told - substantive and procedural, connected with it. This book is constitutional measures subtle aspects of each feature.

163) Denomination:- Author:-subramanian swamy & s.kalyanaraman
Edition:-2010

Article 21 Constitutionof deal with the fundamental rights of India iiiof included in part one of the leading article.ConstitutionOf India is defined by Article 12 of Part III of the fundamental rights listed in the State are applied against law.

164) Designation:-Right to health care: towards an agenda
Author:-anant phadke
Edition:-Vol. 38, no. 41 (oct. 11-17, 2003),

For all of health declared the 25-year-old Alma ATA By the way, the right to health of health kineticism held a three-day event. Deterioration in the public health system is an example, denial of health care that includes public submissions.

165) Denomination:-Pennsylvania studies in human rights Published by: university of Pennsylvania press
Eisbn: 978-0-8122-0166-6

Book description
Rebecca j. Cook and the contributors to this volume seek to analyze how international human rights law applies concretely to women in sundry cultures ecumenical. Constitutional development in India: contribution of equity k. Subba rao

166) Designation: Indian Constitutional law
Or such Erraticism or derogation to the extent in derogation of fundamental rights provided by article 13 law inconsistently unstable As has been treated to be useless.

167) Denomination: the Constitution of India (pocket edition)
Author:- p.m. bakshi
This is an analytical commentary on the Indian Constitution with exhaustive case law references and digest. State government and parliament of India and governance and the constitution of the United States each and all local or other ascendant entry is included within the Being a pocket-sized book containing the text of the Indian Constitution, incorporating amendments up to the Constitutional 94th amendment act, 2006, with selective comments by p.m. bakshi.

168) Denomination: the Constitution of Jammu & Kashmir
Author:- s.k. sharma, with a foreword by equity o.p. sharma
Edition: 2011
This book is a comprehensive commentary on the Constitution of Jammu and Kashmir. It traces the historical and licit aspects relating to the accession of Jammu and Kashmir with Indian coalescence and covers the Constitutional aspects of the special status granted to the state within the ambit of the Constitution of India.

169) Denomination: Author:- Dr. Sanjay s.jain & sathya narayan, with a foreword by chief equity k.g. balakrishnan
Edition: 2011
Parliament's amendment, which limits the power of "laying down the basic structure doctrine, which has led to a constitutional astronomically in the history of India's case - this excited to work with wide historical kesavananda Indian divided in case of judges decisions. Book kesavananda bharati's analysis of the opinions of each paragraph in the case promised to foot. "The basic structure doctrine, which is produced in cognition most philosophical, as well as standardized been discussing the question is disccused.

170) Designation: Supreme Court on Constitution of India
The author has endeavored in this book a novel way of presenting the content of the Constitution of India in a manner which is liberate from pedantic licit jargoon. He has divided the book into two components. The first part contains all the paramount concepts which arise during the course of discussion on the several articles of the Constitution. The second part contains substantial subject dealt by the Constitution which engenders administrative machinery indispensable for achieving a maximum convivial good.

171) Denomination: the children's code
Author:-equity v.r.krishna iyer
Edition: 2012
Indian jurisprudence lacks a felicitous child code. Child rights are special branch of law covered by international law and a unicef commission chaired by the author, and of course the Constitution of India. Equity iyer, the doyne of Indian judiciary, has come forward with this unique children`s code, which is a model law.

Being a comparative treatise on the macrocosmic principles of equity and Constitutional regime with special reference to the organic instrument of India. This monumental work, to be relinquished in 9 volumes, is a pioneering study of the Indian Constitution- and perhaps the most comprehensive. This volume contains material on articles 308 to 360. So far, the article 21 is concerned, it no person except according to procedure established by law shall be deprived of life or personal liberty, which lays down.

173) Designation: emergency Constitution and democracy: an Indian experience
Author:-n. M. Ghatate
Edition: 2011
The book is a critical expose of emergency provision of emergency provisions of the Constitution the Constitution assembly debates and India`s experience in dealing with emergency situation. There have been three emergency in the last six decades on the ground of grave threat to the sovereignty of India.

174) Denomination: - the right to life
In the theory of rights we perpetually encounter the quandary of reconciling someone’s having right, with his felicitously suffering damage to the interest bulwarked by the right to life, we have to access numerous cases in which individuals are killed or sanctioned to die, and yet we optate nonetheless to affirm their right to life. These cases include killing an aggressor in self-bulwark, contingent homicide, terminating life-sustaining therapy, and capital penalization.

175) Denomination: - the right to life
Author:-kenneth m Boyd

For much human history the conception of a right to life has not seemed axiomatic. The credibility of the appears to depend on a particular kind of intuition concerning the nature of the world. In this paper, the kind of intuition involved is cognate to the conception of a covenant, illustrated by that of espousement. The paper concludes by suggesting that verbalize about responsibilities may be more fruitful than verbalize about rights.

176) Designation: - the right to life
Author:-h.j.mccloskey
Edition:-jstor: vol.84no.335

Albeit the issues with which this paper is concerned are of the greatest paramountcy, the paper itself is a modest one which represents an endeavor to assemble strands in contemporary western cogitated reverence for human life. I am concerned with the substructure right to life, whether all human beings possess it, and why, what the right involves and enjoins, what constitutes lack of reverence for it, what are its limits, how, in what way and to what degrees it is a prima facie or conditional right.

177) Denomination: Indian presidency - Constitution, law & practice
Author:-Dr. Subhash c.kashyap & abhaya kashyap
Edition: 2012

In India, the president's office on the politics of our country Constitution and inditements received considerable attention and space. In fact ,, underrate weak and the institution of the President of the Republic of consequentiality to discredit and pertinence in academia and in politics is a continuous and systematic effort has been there. Depth and experience to the analysis presented here, have been worked out since. `` The people of India
Accommodation and salubrity preserve `` forfend and Constitutionand law`` free and to present themselves in their duties to the role of our president and to establish a more balanced perspective try.

178) Designation: the Indian Constitution  
Author:-madhav khosla  
Edition: 2013

The oxford India short exordiums are concise, stimulating, and accessible guides to different aspects of India. Coalescing authoritative analysis, incipient conceptions, and diverse perspectives, they discuss subjects which are topical yet enduring, as additionally emerging areas of study and debate.giving identity to over a billion people, the Indian Constitutionis one of the world’s great political texts.

179) Denomination: the state of the nation - in the context of Indian's Constitution  
Author:-fali s. Nariman  
Edition: 2013

Author elected representatives of the people, (and) the government's legislative and executive wings is expected to provide for the welfare of the people that argument. The law is not enough to make him have failed badly because they simply points out that; And with the implementation of the government's main duty is much left to be desired, that law enforcement.

180) Designation: prelude to the Constitutionof India  
Author:-Dr. Durga das basu  

During its first three years of the six Constitutionof Ken wants to do anything about India, a book for everyone in India and abroad. LL.B., LL.M., and BA India's courtroom to meet the requisites of the University and MA (Political Science) and competitive examinations cumulation and public housing, the commission said. Book, politicians, journalists, statesmen and administrative measures necessary for the entry ascendant and science for under-graduate courses in several universities have proposed.

181) Designation: Indian Constitutional law (with Constitutional documents) (in 2 vols.)  
Author:-prof. M.p.jain, revised by samaraditya pal & equity ruma pal

This licit classic is now exhaustively revised and enlarged, and is an exhaustive and analytical commentary on the Indian Constitutional law, running into more than 4000 pages in two deluxe bounded volumes. The Indian Constitutionholistically comment organized and integrated picture of spattering is a traditional treatment part- sagacious, but talks as detailed and thorough study of the subject, is not.

182) Designation: human right & Indian ConstitutionDr.b. R. Ambedkar's enduring legacies
Author:-Dr. S.S. Dhaktode
Edition: 2013 august

The book consists of two part. The first part adheres to human rights and the contitution, while the second part deals with Dr. Ambedkar's all round struggle for human right. While dealing with two subjects, the author has brought on record a wealth of pertinent information and has additionally raised some pertinent questions for student of politics and Constitutional law, to answer.

183) Designation: reclaiming the vision - challenges of Indian Constitutional law and governance
Author:-p.p. Rao (senior advocate, Supreme Court of India) edited by Dr. Lokendra malik
Edition: 2013

This book contains a cull of articles and verbalizations by a distinguished senior advocate, as well as greatly revered edifier-philomath. In it he shares his phrenic conceptions, deeply cherished notions, and concerns about critical facets of law, governance, and Constitutional leadership in India. He reminds us that those who framed the Constitution had a vision of inclusive equity and progress for all.

184) Denomination: makers of Indian Constitution- framing of the Indian Constitution and biographies of the Constitutionmakers
Author:-keshav dayal

The book is germane and crucial for the present day and future generation of law students, the India lawyers and the judiciary. The role played by the prominent bellwethers including lawyers has become paramount and is essential for the comprehensive study of the present day Constitution.
185) Designation: outlines of Indian licit & Constitutional history  
Author:- prof. M.p.jain  
This book will be of invaluable assistance to all law students, researches, academicians, judges, advocates, and people preparing for competitive examinations. Magnification. All human rights to live in a civilized society designed to achieve the right of the object. The ensures aliment, dihydrogen monoxide, decent environment, inculcation, medical care and the right to asylum.

186) Denomination: Indian Constitutional law  
Author:- prof. M.p.jain, revised by equity ruma pal & samaraditya pal (advocate)  
This is a standard textbook for students, exhaustively revised and enlarged, and is an exhaustive and analytical commentary on the Indian Constitutional law as amended by the Constitution 95th amendment act. Salient features of Indian Constitution, parliament, legislature, judiciary, rights, obligations, liberation, directive principles, federal system etc. are discussed with reference to sundry committee reports, case law and commentary.

Volume 1 of this incipient edition (covering articles 1 to 12) Like the pristine work the current 9th edition endeavors to place the licit commentary in contemporary political and gregarious context. This volume Constitution of are in any way related to India, lawyers, judges, constitutional law expert, and all such persons will be an indispensable source of reference.

188) Designation: India’s Constitution- inceptions and evolution (vol. 1)  
Author:- samaraditya pal (senior advocate)  
Edition: 2014  
Constituent assembly debates lok sabha debates on Constitutional amendments and Supreme Court judgements. Such a law would still be wrong and the potential created by the legislature rejected that Eventuality will become a law Constitution then sure of Part III of a law found to conflict with any of the fundamental rights and be treated as the still-if such a law would pass the birth of life and has no impact on the economic freedom.
Containing the latest text to the right of the people living in India, the Indian Constitution. This ensures that there is a fundamental right, citizens and non-citizens, kindred. Article 21 ensures that the paper does not simply be reduced to the right earnest, but be persistent, powerful, living and working in an egalitarian society, including the right to form and to benefit the country's avowed aim is envisaged that the march towards the Constitution of India, along with its entry in the pulsating life of the founding fathers of the implementation.

The right to life and personal liberty, personal and other rights, therefore, proposes to study the great paramount, and which revolve around the most prestigious and important as a basic human right, he said. In fact, the study of the right to life is a study of basic human rights, the guardian of the Supreme Court.

This book present argues that the Constitution of a country is as much political documents as a licit one and hence its prosperity or otherwise is withal dependent on how it is interpreted and implemented politically.

Citizens and foreigners the right to life and personal liberty guarantees subject. It Being a standard text book and is enforceable against the state. Maneka Gandhi's case, the
interpretation of Article 21, the right to life and personal liberty ushered in the era of the first
is to expand the horizons.

UNDER THE GUIDANCE OF
DR. SOPAN KERBA HINGOLE
DEPARTMENT OF LAW

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YEAR 2014-15