



International Journal of Multidisciplinary Research in Science, Engineering and Technology

(A Monthly, Peer Reviewed, Refereed, Scholarly Indexed, Open Access Journal)



Impact Factor: 8.206

Volume 8, Issue 11, November 2025



International Journal of Multidisciplinary Research in Science, Engineering and Technology (IJMRSET)

(A Monthly, Peer Reviewed, Refereed, Scholarly Indexed, Open Access Journal)

Right to Life and Personal Liberty under Article 21: Constitutional Interpretation

Prerna Murlidhar Ale, Dr. Pravin Kumar Chuhan

Research Scholar, Department of Law, Monad University, Hapur, Uttar Pradesh, India

Department of Law, Monad University, Hapur, Uttar Pradesh, India

ABSTRACT: Article 21 of the Constitution of India is one of the most significant provisions safeguarding the fundamental rights of individuals. It states that "No person shall be deprived of his life or personal liberty except according to procedure established by law." Although the language of Article 21 appears concise, its interpretation by the Supreme Court of India has transformed it into the cornerstone of constitutional governance and the protection of human rights. Initially, the provision received a narrow interpretation, limiting its application to the literal meaning of life and liberty. However, through progressive judicial interpretation, Article 21 has evolved into a dynamic and comprehensive source of numerous implied rights essential for ensuring a life of dignity, equality, and freedom. This study examines the constitutional interpretation of the Right to Life and Personal Liberty under Article 21 and traces its judicial evolution from a restrictive to a liberal approach. The research explores how landmark judgments, particularly *A.K. Gopalan v. State of Madras* (1950), *Maneka Gandhi v. Union of India* (1978), and *Justice K.S. Puttaswamy v. Union of India* (2017), have significantly expanded the scope of Article 21. The *Maneka Gandhi* judgment marked a turning point by establishing that any law depriving a person of life or personal liberty must be fair, just, and reasonable, thereby incorporating the principles of natural justice and due process into Indian constitutional jurisprudence. This interpretation strengthened the relationship between Articles 14, 19, and 21, ensuring that state action remains non-arbitrary and constitutionally valid.

KEYWORDS: Constitution of India, Right to Life, Personal Liberty, Fundamental Rights

I. INTRODUCTION

The Constitution of India is regarded as one of the most comprehensive constitutions in the world, providing a strong framework for the protection of individual rights and the promotion of social justice. Among the various Fundamental Rights guaranteed under Part III of the Constitution, Article 21, which guarantees the Right to Life and Personal Liberty, occupies a unique and central position. It provides that "No person shall be deprived of his life or personal liberty except according to procedure established by law." Although the language of Article 21 appears simple and concise, its interpretation by the Indian judiciary has transformed it into one of the broadest and most dynamic provisions of the Constitution. Over the years, Article 21 has evolved from a narrow guarantee against arbitrary deprivation of life and liberty into a comprehensive source of numerous human rights that are essential for leading a life of dignity.

The framers of the Constitution recognized that the protection of life and liberty is fundamental to the existence of a democratic society governed by the rule of law. Therefore, Article 21 was included among the Fundamental Rights to ensure that every individual, irrespective of caste, religion, gender, nationality, or economic status, enjoys protection against arbitrary actions of the State. Unlike many other constitutional provisions, Article 21 is available to every person, including foreign nationals, except enemy aliens. This demonstrates the universal nature of the right and reflects India's commitment to the principles of justice, equality, and human dignity.

Initially, the interpretation of Article 21 was highly restrictive. In the landmark case of *A.K. Gopalan v. State of Madras* (1950), the Supreme Court held that the expression "procedure established by law" simply meant a procedure prescribed by a validly enacted law, irrespective of whether such procedure was fair, just, or reasonable. The Court adopted a literal interpretation and treated each Fundamental Right as independent from the others. As a result, judicial review under Article 21 remained limited, allowing the legislature considerable freedom to enact laws affecting personal liberty. This narrow interpretation significantly restricted the scope of constitutional protection available to individuals. A major turning point in the constitutional interpretation of Article 21 came with the historic judgment in *Maneka Gandhi v. Union of India* (1978). In this case, the Supreme Court departed from the narrow approach adopted in *A.K. Gopalan* and held



International Journal of Multidisciplinary Research in Science, Engineering and Technology (IJMRSET)

(A Monthly, Peer Reviewed, Refereed, Scholarly Indexed, Open Access Journal)

that the "procedure established by law" must be fair, just, and reasonable, and not arbitrary, oppressive, or unreasonable. The Court further emphasized that Articles 14, 19, and 21 are interconnected and must be interpreted harmoniously. This judgment revolutionized Indian constitutional jurisprudence by introducing the principle of substantive due process into Indian law. Since then, Article 21 has become a living and evolving provision, capable of adapting to changing social, economic, technological, and environmental conditions.

One of the most significant contributions of judicial interpretation has been the expansion of the meaning of the term "life." The Supreme Court has consistently held that the right to life does not merely mean the right to exist physically or survive like an animal. Rather, it includes the right to live with human dignity, free from exploitation, humiliation, and deprivation. Human dignity has become the guiding principle in interpreting Article 21, leading to the recognition of several derivative rights that are essential for the meaningful enjoyment of life and liberty. Through judicial activism, Article 21 has evolved into a repository of numerous fundamental rights necessary for ensuring the overall well-being of individuals. The expanding interpretation of Article 21 has resulted in the recognition of several important rights, including the right to livelihood, right to health, right to education (prior to the insertion of Article 21A), right to clean environment, right to shelter, right to privacy, right to legal aid, right to speedy trial, right against custodial violence, right to reputation, right to sleep, right to clean drinking water, and right to die with dignity under certain circumstances. These rights were not expressly mentioned in the Constitution but were read into Article 21 by the judiciary to ensure that constitutional guarantees remain meaningful and effective in changing times.

II. LITERATURE REVIEW

Article 21 of the Constitution of India, which provides that "No person shall be deprived of his life or personal liberty except according to procedure established by law," is regarded as one of the most significant provisions safeguarding individual rights in India. Since the commencement of the Constitution in 1950, the interpretation of Article 21 has undergone a remarkable transformation through judicial decisions, academic writings, and constitutional debates. The literature on Article 21 demonstrates a gradual shift from a narrow interpretation to an expansive and human rights-oriented approach. Scholars have consistently emphasized that the evolution of Article 21 reflects the dynamic nature of constitutional interpretation and the judiciary's commitment to protecting human dignity.

One of the earliest judicial interpretations of Article 21 emerged in *A.K. Gopalan v. State of Madras* (1950). Legal scholars such as M.P. Jain (2018) observe that the Supreme Court initially adopted a restrictive interpretation by holding that the phrase "procedure established by law" referred only to a legally enacted procedure, regardless of whether it was fair or reasonable. According to Jain, this judgment treated each Fundamental Right as separate and independent, thereby limiting judicial scrutiny of legislative action. V.N. Shukla (2019) similarly notes that the Gopalan decision reflected a formalistic approach, giving greater importance to parliamentary supremacy than to the protection of individual liberties.

A major turning point in the constitutional interpretation of Article 21 came with *Maneka Gandhi v. Union of India* (1978). Constitutional scholars widely regard this decision as the foundation of the modern understanding of Article 21. H.M. Seervai (1996) argues that the Supreme Court fundamentally altered constitutional jurisprudence by holding that the procedure established by law must be "just, fair, and reasonable" rather than arbitrary or oppressive. This judgment also established a close relationship between Articles 14, 19, and 21, thereby creating what many scholars describe as the "Golden Triangle" of Fundamental Rights. D.D. Basu (2018) explains that this interpretation transformed Article 21 into a powerful constitutional guarantee against arbitrary State action. The concept of the "right to life" has also been interpreted beyond mere physical survival. *Francis Coralie Mullin v. Administrator, Union Territory of Delhi* (1981) significantly expanded the meaning of life by recognizing that the right to life includes the right to live with human dignity. Academic commentators have highlighted this judgment as a landmark in Indian human rights jurisprudence. Upendra Baxi (2002) argues that the Supreme Court moved away from a purely legalistic interpretation and embraced a welfare-oriented constitutional philosophy that recognized socio-economic rights as essential components of human dignity.

The literature further indicates that Article 21 has become the constitutional basis for recognizing several implied rights. In *Olga Tellis v. Bombay Municipal Corporation* (1985), the Supreme Court recognized the right to livelihood as an integral part of the right to life. M.P. Singh (2015) observes that livelihood is indispensable for meaningful human existence, and therefore deprivation of livelihood without due process amounts to a violation of Article 21. Similarly, *Bandhua Mukti Morcha v. Union of India* (1984) emphasized the protection of bonded labourers and recognized the



International Journal of Multidisciplinary Research in Science, Engineering and Technology (IJMRSET)

(A Monthly, Peer Reviewed, Refereed, Scholarly Indexed, Open Access Journal)

State's obligation to ensure humane working conditions. Scholars view these decisions as examples of judicial activism aimed at protecting vulnerable sections of society. Environmental protection has also become an important aspect of Article 21. Scholars note that beginning in the 1980s, the Supreme Court interpreted the right to life to include the right to a clean and healthy environment. In *Subhash Kumar v. State of Bihar* (1991) and *M.C. Mehta v. Union of India*, the Court recognized that pollution-free air and water are essential for human life. Shyam Divan and Armin Rosencranz (2001) argue that these judgments established environmental jurisprudence as a constitutional obligation rather than merely a statutory concern. According to the literature, environmental rights have become inseparable from the protection of life under Article 21.

III. MATERIAL AND METHODS

Research Design

The present study adopts a doctrinal (non-empirical) research methodology to examine the constitutional interpretation of the Right to Life and Personal Liberty under Article 21 of the Constitution of India. Since the study primarily focuses on constitutional provisions, judicial decisions, statutes, and legal principles, the doctrinal approach is considered the most appropriate. This method involves a systematic analysis of legal texts, judicial precedents, and scholarly writings to understand the evolution, interpretation, and expanding scope of Article 21.

The research is analytical and descriptive in nature. It seeks to examine how the judiciary, particularly the Supreme Court of India, has interpreted Article 21 over time and transformed it from a narrow guarantee of life and personal liberty into a comprehensive source of various human rights. The study also evaluates the constitutional philosophy underlying Article 21 and its relationship with the principles of justice, liberty, equality, and dignity.

Nature of the Study

The study is qualitative in nature and relies on legal reasoning rather than statistical analysis. It examines constitutional provisions, judicial pronouncements, legislative enactments, and academic literature to identify the changing dimensions of Article 21. The emphasis is on understanding legal principles, constitutional values, and judicial interpretation rather than measuring numerical data.

Sources of Data

The research is based entirely on secondary data, which have been collected from reliable legal and academic sources.

Primary Sources

Primary legal materials form the foundation of this research. These include:

- The Constitution of India, particularly Article 21 and other related Fundamental Rights under Part III.
- Judgments of the Supreme Court of India and various High Courts interpreting Article 21.
- Parliamentary enactments relating to personal liberty, criminal procedure, environmental protection, healthcare, privacy, and human rights.
- Reports of the Law Commission of India.
- Reports and recommendations of the National Human Rights Commission (NHRC).

Important judicial decisions examined in this study include:

- *A.K. Gopalan v. State of Madras* (1950)
- *R.C. Cooper v. Union of India* (1970)
- *Maneka Gandhi v. Union of India* (1978)
- *Francis Coralie Mullin v. Administrator, Union Territory of Delhi* (1981)
- *Bandhua Mukti Morcha v. Union of India* (1984)
- *Olga Tellis v. Bombay Municipal Corporation* (1985)
- *Subhash Kumar v. State of Bihar* (1991)
- *Consumer Education and Research Centre v. Union of India* (1995)
- *Justice K.S. Puttaswamy (Retd.) v. Union of India* (2017)
- *Common Cause v. Union of India* (2018)

These judgments illustrate the gradual expansion of Article 21 and establish various rights such as the right to dignity, livelihood, health, education, clean environment, privacy, legal aid, speedy trial, and dignified death.



International Journal of Multidisciplinary Research in Science, Engineering and Technology (IJMRSET)

(A Monthly, Peer Reviewed, Refereed, Scholarly Indexed, Open Access Journal)

IV. DATA ANALYSIS

The present study analyzes the constitutional interpretation of the Right to Life and Personal Liberty under Article 21 of the Constitution of India through doctrinal research. The analysis is based on constitutional provisions, landmark judgments of the Supreme Court, legal commentaries, Law Commission reports, and scholarly articles. The purpose is to understand how judicial interpretation has transformed Article 21 from a narrowly construed provision into the broadest source of fundamental rights in India.

Initially, Article 21 was interpreted in a restrictive manner. In *A.K. Gopalan v. State of Madras* (1950), the Supreme Court held that personal liberty could be curtailed by any procedure established by law, irrespective of whether the law was fair, reasonable, or just. The Court treated each Fundamental Right separately and did not adopt an integrated approach. This judgment reflected judicial restraint and limited the protection available under Article 21. The data collected from constitutional cases indicates that during the early years after independence, the judiciary largely followed a literal interpretation of constitutional provisions.

A significant change occurred with the landmark judgment in *Maneka Gandhi v. Union of India* (1978). The Supreme Court held that the "procedure established by law" under Article 21 must be fair, just, and reasonable, and not arbitrary or oppressive. The Court also ruled that Articles 14, 19, and 21 are interconnected and should be interpreted together. This judgment fundamentally transformed constitutional jurisprudence in India. The collected legal materials show that most of the expansion of Article 21 occurred after this decision, making it the foundation of modern constitutional interpretation. The analysis further reveals that the expression "life" under Article 21 has been interpreted to mean more than mere physical existence. The Supreme Court has consistently held that life includes the right to live with human dignity. In *Francis Coralie Mullin v. Administrator, Union Territory of Delhi* (1981), the Court recognized that the right to life includes adequate nutrition, clothing, shelter, education, and facilities for personal development. This judicial interpretation expanded the scope of Article 21 beyond protection against unlawful deprivation of life to include positive obligations of the State. The study also finds that the judiciary has recognized several derivative rights under Article 21. One of the most significant is the Right to Livelihood. In *Olga Tellis v. Bombay Municipal Corporation* (1985), the Supreme Court observed that depriving a person of livelihood would also deprive them of life because no individual can live without the means of earning a livelihood. This judgment emphasized the relationship between economic security and constitutional rights. The analysis indicates that this decision strengthened the socio-economic dimensions of Article 21. Another important development concerns the Right to Health. Judicial decisions have established that access to medical care is an essential component of the right to life. In *Parmanand Katara v. Union of India* (1989), the Supreme Court ruled that every doctor, whether in a government or private hospital, has a duty to provide immediate medical treatment to save human life. Similarly, in *Paschim Banga Khet Mazdoor Samity v. State of West Bengal* (1996), the Court directed governments to ensure adequate healthcare facilities. The available legal data demonstrates that the judiciary has repeatedly emphasized the constitutional duty of the State to protect public health.

The analysis also shows that the Right to Education emerged from Article 21 before becoming a separate Fundamental Right under Article 21A. In *Mohini Jain v. State of Karnataka* (1992) and *Unni Krishnan v. State of Andhra Pradesh* (1993), the Supreme Court recognized education as an essential element of a dignified life. These judgments ultimately influenced the Constitution (Eighty-Sixth Amendment) Act, 2002, which introduced Article 21A guaranteeing free and compulsory education for children. Environmental protection has also become an integral aspect of Article 21. Judicial decisions such as *Subhash Kumar v. State of Bihar* (1991) and *M.C. Mehta v. Union of India* established that the right to life includes the right to clean air, safe drinking water, and a pollution-free environment. The data indicates that environmental litigation through Public Interest Litigation (PIL) has significantly contributed to expanding constitutional rights under Article 21. Courts have increasingly linked environmental protection with public health and human dignity.

V. RESULT AND DISCUSSION

The study reveals that Article 21 of the Constitution of India has undergone a remarkable transformation since the Constitution came into force in 1950. Initially interpreted in a narrow and literal manner, Article 21 has gradually evolved into one of the most significant provisions protecting the fundamental rights of individuals. Judicial interpretation has played a decisive role in expanding the meaning of the expression "life" and "personal liberty," making Article 21 the cornerstone of constitutional governance and human rights protection in India. The findings indicate that the interpretation of Article 21 can be divided into two major phases. The first phase was characterized by a restrictive interpretation, while



International Journal of Multidisciplinary Research in Science, Engineering and Technology (IJMRSET)

(A Monthly, Peer Reviewed, Refereed, Scholarly Indexed, Open Access Journal)

the second phase witnessed a liberal and purposive approach adopted by the Supreme Court. In the early constitutional period, the Court held that the State could deprive a person of life or personal liberty if it followed a valid procedure established by law. This interpretation gave considerable power to the legislature and limited judicial scrutiny. However, this approach changed significantly after the landmark judgment in *Maneka Gandhi v. Union of India* (1978). The Supreme Court held that the "procedure established by law" must be just, fair, and reasonable rather than arbitrary or oppressive. This decision marked a turning point in Indian constitutional law and broadened the scope of Article 21.

The research further shows that the judiciary has interpreted the term "life" in a comprehensive manner. Life is no longer understood merely as physical existence but as a life with dignity, freedom, and meaningful opportunities. The Court has consistently emphasized that every individual is entitled to conditions necessary for living with dignity. As a result, several rights not expressly mentioned in the Constitution have been recognized as integral parts of Article 21. These include the right to livelihood, the right to education, the right to health, the right to privacy, the right to a clean environment, the right to shelter, the right to legal aid, the right to speedy trial, and the right to die with dignity under limited circumstances. One of the most significant findings of this study is that judicial activism has been the primary factor responsible for the expansion of Article 21. Through progressive constitutional interpretation, the Supreme Court has addressed emerging social, economic, and technological challenges. The judiciary has recognized that constitutional rights must evolve with changing societal needs. Consequently, Article 21 has become a living provision capable of protecting individuals against both traditional and modern forms of rights violations.

The study also reveals that the relationship between Article 21 and Articles 14 and 19 has strengthened constitutional protections. The Supreme Court has held that these three Articles form the "Golden Triangle" of the Constitution. Any law affecting personal liberty must satisfy the requirements of equality under Article 14, the freedoms guaranteed under Article 19, and the protection of life and personal liberty under Article 21. This integrated interpretation has significantly enhanced judicial review and safeguarded citizens against arbitrary State action. Another important result concerns the recognition of the right to privacy as a fundamental right. In the landmark *Justice K.S. Puttaswamy v. Union of India* (2017) judgment, the Supreme Court declared that privacy is an intrinsic part of life and personal liberty under Article 21. This judgment expanded constitutional protection into the digital era by safeguarding informational privacy, bodily autonomy, and decisional freedom. It also established that technological advancement must not undermine individual dignity and liberty.

The findings further demonstrate that Article 21 has significantly strengthened environmental jurisprudence in India. The Supreme Court has repeatedly held that the right to life includes the right to live in a pollution-free environment. Environmental degradation directly affects human health, livelihood, and dignity. Therefore, environmental protection has become a constitutional obligation linked to Article 21. Judicial decisions concerning air pollution, water contamination, industrial hazards, and ecological conservation illustrate the expanding dimensions of this right.

VI. CONCLUSION

The Right to Life and Personal Liberty under Article 21 of the Constitution of India has emerged as one of the most dynamic and significant fundamental rights in the constitutional framework of the country. From its original narrow interpretation to its present-day broad and liberal scope, Article 21 has undergone a remarkable transformation through judicial interpretation. The judiciary, particularly the Supreme Court of India, has played a central role in ensuring that the Constitution remains a living document capable of responding to changing social, economic, and technological realities. As a result, Article 21 has evolved from merely protecting individuals against unlawful deprivation of life and liberty to becoming a comprehensive source of numerous human rights essential for living with dignity. The early interpretation of Article 21 was restrictive, as seen in the landmark case of *A.K. Gopalan v. State of Madras* (1950), where the Supreme Court held that the phrase "procedure established by law" referred only to a procedure enacted by the legislature, regardless of whether such procedure was fair or reasonable.

This interpretation gave the State broad powers to restrict personal liberty, provided that a law authorized such action. However, this approach gradually proved inadequate in protecting individual freedoms in a democratic society where justice, fairness, and equality are fundamental constitutional values. A significant turning point came with the judgment in *Maneka Gandhi v. Union of India* (1978), which revolutionized the interpretation of Article 21. The Supreme Court held that the procedure established by law must be just, fair, and reasonable and not arbitrary, oppressive, or unjust. This judgment established a close relationship between Articles 14, 19, and 21, ensuring that any law affecting life or personal



International Journal of Multidisciplinary Research in Science, Engineering and Technology (IJMRSET)

(A Monthly, Peer Reviewed, Refereed, Scholarly Indexed, Open Access Journal)

liberty must satisfy the requirements of fairness, equality, and reasonableness. The decision transformed Article 21 into one of the most powerful safeguards of individual rights and laid the foundation for the expansion of numerous constitutional protections.

The concept of "life" under Article 21 has also undergone substantial expansion. The Supreme Court has consistently held that the right to life means much more than mere animal existence or physical survival. It includes the right to live with human dignity and all those aspects that make life meaningful and worthwhile. Consequently, the Court has recognized several derivative rights under Article 21, including the right to livelihood, the right to shelter, the right to health, the right to education, the right to clean drinking water, the right to pollution-free environment, the right to legal aid, the right to speedy trial, the right to privacy, and the right to die with dignity under limited circumstances. These judicial developments have strengthened the constitutional commitment to social justice and human welfare. The expansion of Article 21 has also contributed significantly to the protection of vulnerable and marginalized sections of society. The judiciary has intervened to safeguard the rights of prisoners, bonded labourers, women, children, persons with disabilities, senior citizens, and economically weaker sections. Through the mechanism of Public Interest Litigation (PIL), courts have ensured that constitutional justice reaches those who may not have the resources or awareness to approach the courts independently. This proactive judicial approach has transformed Article 21 into an instrument for promoting equality, dignity, and inclusive development.

REFERENCES

1. Basu, D. D. (2013). Introduction to the Constitution of India (21st ed.). LexisNexis.
2. Basu, D. D. (2010). Commentary on the Constitution of India (8th ed.). LexisNexis Butterworths.
3. Jain, M. P. (2013). Indian Constitutional Law (7th ed.). LexisNexis.
4. Shukla, V. N. (2013). Constitution of India (12th ed., revised by Mahendra Pal Singh). Eastern Book Company.
5. Seervai, H. M. (1996). Constitutional Law of India: A Critical Commentary (4th ed., Vols. I–III). Universal Law Publishing.
6. Austin, Granville. (1999). Working a Democratic Constitution: The Indian Experience. Oxford University Press.
7. Austin, Granville. (1966). The Indian Constitution: Cornerstone of a Nation. Oxford University Press.
8. A.K. Gopalan v. State of Madras, AIR 1950 SC 27.
9. Maneka Gandhi v. Union of India, (1978) 1 SCC 248.
10. Olga Tellis v. Bombay Municipal Corporation, (1985) 3 SCC 545.



INTERNATIONAL
STANDARD
SERIAL
NUMBER
INDIA



INTERNATIONAL JOURNAL OF MULTIDISCIPLINARY RESEARCH IN SCIENCE, ENGINEERING AND TECHNOLOGY

| Mobile No: +91-6381907438 | Whatsapp: +91-6381907438 | ijmrset@gmail.com |

www.ijmrset.com