

**11<sup>th</sup> Dr. L.M. Singhvi Memorial Lecture**

**“Human Dignity as the Soul of the Constitution:  
Judicial Reflections in the 21st Century”**

**Keynote Address**

Justice B.R. Gavai

Chief Justice of India

1. Shri Om Birla ji, Speaker of the Lok Sabha,

Dr. Abhishek Singhvi, Member of Parliament and Senior Advocate,

Professor C. Raj Kumar, Vice Chancellor, O.P. Jindal Global University, Sonipat, and members of the distinguished audience.

2. I would like to thank the organizers of today's lecture for inviting me to deliver the 11<sup>th</sup> Dr. L.M. Singhvi Memorial Lecture.

3. It is a particular honour for me to speak today, as I have not only admired Dr. L.M. Singhvi's work, but also feel a personal connection to him through my father's association with him.
4. My late father, Shri R.S. Gavai, and Dr. Singhvi shared a meaningful professional association during their time in the Rajya Sabha, serving concurrently as members. Their overlapping tenure allowed them to collaborate closely and exchange ideas, and learning about their work and camaraderie has given me a sense of personal connection to Shri Singhvi's distinguished legacy.
5. Professor Raj Kumar has already spoken about the contributions of Dr. L.M. Singhvi, but in view of the breadth and depth of his work, I would like to take a moment to highlight a few more of his remarkable contributions.

6. Born in Jodhpur, Rajasthan, Dr. L.M. Singhvi was a scholar-statesman, a prolific author, an eminent jurist, a distinguished diplomat, and a prominent parliamentarian.

7. In various roles, Dr. Singhvi made seminal contributions to law, governance, and public policy at both national and international levels. He was the second longest serving Indian High Commissioner to the U.K. after Krishna Menon.<sup>1</sup>

8. He was the principal architect of *Pravasi Bharatiya Divas*, an initiative conceived to promote sustained engagement with the Indian diaspora and to strengthen cultural, social, and economic ties with non-resident Indians.<sup>2</sup>

---

<sup>1</sup> Singhvi, Abhishek Manu, and Lokendra Malik, 'L.M. Singhvi: A Biographical Sketch', in Abhishek Manu Singhvi, and Lokendra Malik (eds), *India's Vibgyor Man: Selected Writings and Speeches of L.M. Singhvi* (Delhi, 2018; online edn, Oxford Academic, 20 June 2019), <https://doi.org/10.1093/oso/9780199484164.003.0001>, accessed 3 Sept. 2025.

<sup>2</sup> Ibid.

9. Equally influential was his role as Chair of the Committee on Panchayati Raj Institutions, where he recommended the constitutional recognition of local self-governance through Panchayati Raj.<sup>3</sup> These recommendations laid the groundwork for the eventual constitutional status conferred upon Panchayati Raj institutions, thereby deepening India's democratic framework at the grassroots level.

10. Dr Singhvi was also a distinguished member of the Bar who mastered the advocacy, politics, diplomacy, and statesmanship equally well. Dr Singhvi was elected as the President of the Supreme Court Bar Association on more than one occasion, and he was the founder President of the Supreme Court Bar Association Trust.<sup>4</sup>

---

<sup>3</sup> Regional Training Institute, Kolkata, *Regularity Environment Relating to Audit and Accounts of PRIs in States* (June 2014) (Regional Training Institute, Kolkata, Indian Audit & Accounts Department), at -, available at *CAG India* (last visited Sept. 3, 2025).

<sup>4</sup> Delhi High Court, Full Court Reference on the Demise of Dr LM Singhvi <[http://34.93.66.95/sites/default/files/Condolence/condolencefile\\_nnjr442r.pdf](http://34.93.66.95/sites/default/files/Condolence/condolencefile_nnjr442r.pdf)>.

11. I must also mention that at the time of his tenure as the High Commissioner of India in the U.K. in 1996, Dr. Singhvi graciously presented a sculpted statue of Mahatma Gandhi to the Supreme Court, which now stands prominently just in front of the staircase, outside the Chief Justice's Court. Over time, this statue has assumed a distinctive place within the architectural and symbolic landscape of the Court, serving as a constant reminder and guiding emblem of truth, justice, and moral integrity.

12. This Memorial Lecture is a tribute to him.

13. It is equally important to recognize the efforts of Dr. Abhishek Singhvi in continuing and building upon his father's remarkable legacy. Through his sustained commitment to education and public service, Dr.

Abhishek Singhvi has initiated programs that directly benefit students and society at large.

14. One such notable initiative is the Singhvi Trinity Scholarship, established in memory of his late father. This scholarship provides financial support to a deserving Indian student to pursue an LLM at the University of Cambridge, offering not just a world-class education but also exposure to a truly international academic environment. By facilitating this opportunity, the scholarship embodies the vision of fostering excellence, broadening horizons, and nurturing future leaders who can contribute meaningfully to law, governance, and public life in India.

15. Similarly, this lecture series stands as a testament to the enduring intellectual and moral legacy of Dr. LM Singhvi. By bringing together scholars, practitioners,

and students, the series seeks to perpetuate his spirit of rigorous inquiry, public engagement, and commitment to the values of justice and constitutionalism. Each lecture serves not only as an academic exercise but also as a platform to inspire critical thinking, dialogue, and reflection.

16. The theme of today's lecture is "**Human Dignity as the Soul of the Constitution: Judicial Reflections in the 21st Century**". This theme invites us to engage with one of the most enduring principles of constitutional law: human dignity.

17. In simple terms, dignity or human dignity refers to the intrinsic worth and respect owed to every human being simply by virtue of being human.

18. In the context of the 21st century, this principle has acquired new significance, as courts across the

world, and particularly in India, grapple with complex questions arising from technological change, social transformation, and evolving notions of equality and liberty.

19. Today, my endeavour is to explore how the judiciary has interpreted the concept of human dignity in diverse contexts, from the protection of individual autonomy and privacy to the advancement of social justice and the redressal of structural inequalities. By examining contemporary judicial reflections, we aim to understand how the commitment to human dignity continues to shape the values of the Constitution and the contours of law, governance, and public life in modern India.

20. But the discourse on human dignity in the 21st century cannot be meaningfully undertaken without first understanding the foundational principles laid



down in the decades preceding it. Human dignity was a central concern for the framers of the Constitution, deeply intertwined with their vision of a just and egalitarian society. As Dr. BR Ambedkar once stated that the social oppression of the so-called Untouchables heaped upon them “*many indignities which are incompatible with the dignity and sanctity of human life.*”<sup>5</sup>

21. It is precisely these indignities of various kinds, *i.e.*, social, economic, and political, that the Constitution was designed to remedy.

22. The text of the Constitution explicitly situates dignity alongside the core values of liberty, equality, fraternity, and justice, signaling its centrality to the Indian constitutional project. The Preamble enshrines this principle in clear terms: “*to promote among them all*

---

<sup>5</sup> <https://www.mea.gov.in/Images/CPV/Volume1.pdf>, p. 426

*fraternity assuring the dignity of the individual and the unity and integrity of the Nation.”*

23. As reflected in the Preamble, this linkage between dignity and the values of fraternity, unity, and integrity of the nation is significant, as it underscores the idea that respect for each individual is not merely a personal or social virtue, but a foundational principle for the cohesion of society itself. When the dignity of every citizen is recognized and protected, it promotes a sense of belonging, mutual respect, and solidarity, which are essential for maintaining national unity and harmony.

24. By anchoring dignity in these interrelated values, the Constitution envisioned a society where every individual, regardless of caste, class, or background, could live a life of respect. Furthermore, the phrase

*“assuring the dignity of the individual”* is a direct commitment that every individual has inherent worth.

25. It is particularly noteworthy that Dr. Ambedkar defined fraternity not merely as a social ideal, but as an intrinsic feature of democracy itself. He described fraternity as “only another name for democracy,” emphasizing that democracy is “primarily a mode of associated living, of conjoint communicated experience,” and that it requires “essentially an attitude of respect and reverence towards fellowmen.”<sup>6</sup> From this perspective, dignity or human dignity emerges as a core value of democracy, central to the very functioning of democratic society.

26. Although the term “dignity” does not find an explicit textual mention in Part III of the Constitution,

---

<sup>6</sup> <https://www.mea.gov.in/Images/CPV/Volume1.pdf>, p. 57

which enumerates the Fundamental Rights, the judiciary has, through consistent interpretation, recognized it as a foundational principle underlying these rights.

27. Reflections of human dignity are evident across multiple dimensions of the Fundamental Rights. The prohibition of arbitrariness under Article 14 ensures that state action respects reason, fairness, and equality, thereby safeguarding the individual's sense of self-worth. Similarly, the rights against discrimination under Articles 14 and 15 and the guarantee of equality of opportunity under Article 16 seek to affirm the inherent dignity of every person by preventing unequal treatment based on caste, religion, gender, or other personal attributes. Dignity also underlies the freedoms enshrined in Article 19, which protect individuals' autonomy in expressing themselves, associating, and

moving freely, enabling them to lead meaningful lives. Most significantly, the right to life and personal liberty under Article 21 has been interpreted expansively by the Supreme Court to encompass the right to live with dignity, including personal autonomy, bodily integrity, and freedom from degrading treatment. Collectively, these constitutional provisions demonstrate that the protection and promotion of human dignity is a unifying principle underlying the entire framework of Fundamental Rights.

28. I will now refer to a series of judgments on various aspects of human dignity.

29. The judicial recognition of the principle of human dignity in India began to crystallize in the late 1970s, largely in response to the widespread reports of inhuman and cruel treatment of prisoners in jails

across the country. The courts observed that deprivation of liberty could not justify the infliction of humiliation, torture, or degrading treatment, and emphasized that even those in custody retain their fundamental human worth and rights.

30. This period marked a significant shift in constitutional jurisprudence, where the judiciary began to interpret the right to life and personal liberty under Article 21 not merely as a procedural safeguard against arbitrary deprivation of freedom, but as a guarantee to live with dignity, respect, and humane conditions, laying the groundwork for later expansive interpretations in areas such as prison reforms, rights of marginalized groups, and socio-economic entitlements.

31. In **Sunil Batra (I) v. Delhi Administration**<sup>7</sup> (1978), a Constitution Bench of the Supreme Court took serious cognizance of the inhuman treatment of undertrials, convicts, and individuals on death row. Justice Krishna Iyer emphasized that “the humane thread of jail jurisprudence” demands that no prison authority is exempt from constitutional obligations, and that the forcible denial of fundamental rights constitutes an institutional outrage. The Court condemned the use of iron fetters and held that practices such as solitary confinement and cellular segregation are both inhuman and irrational.

32. In **Sunil Batra (II) v. Delhi Administration**<sup>8</sup> (1980), the Supreme Court underscored that imprisonment does not strip an individual of their

---

<sup>7</sup> (1978) 4 SCC 494

<sup>8</sup> (1980) 3 SCC 488

humanity. It famously observed that “in the eyes of law, prisoners are persons, not animals,” and affirmed that the judiciary has a duty to hold accountable and “punish the deviant ‘guardians’ of the prison system where they go berserk and defile the dignity of the human inmate”.

33. Another judgment from 1980, ***Prem Shankar Shukla v Delhi Administration***<sup>9</sup> centered around the constitutionality of handcuffing under-trial prisoners. The Court held that depriving a person of dignity is not merely an act of causing physical discomfort, but an affront to their very humanity, striking at the core of Articles 14, 19, and 21. The judgment emphasized that the guarantee of human dignity “forms” an integral part of our “constitutional culture” and is activated “*when we realise that to manacle man is more than to mortify*

---

<sup>9</sup> (1980) 3 SCC 526.



*him; it is to dehumanize him and, therefore, to violate his very personhood, too often using the mask of 'dangerousness' and security".*<sup>10</sup>

34. In **Francis Coralie Mullin v. Administrator, Union Territory of Delhi (1981)**,<sup>11</sup> the Supreme Court struck down a rule that restricted a detenu's right to consult a legal adviser of their choice, holding it unconstitutional under Articles 14 and 21. The Court emphasized that the "*right to live with dignity*" is an essential component of the right to life, and as such, a detenu is entitled to meet with family members, friends, and legal advisers.

35. These landmark judgments firmly established that human dignity is a constitutional value that remains inviolable, even within the confines of incarceration.

---

<sup>10</sup> Ibid, at pages 529-530 (para 1)

<sup>11</sup> (1981) 1 SCC 608

Building on this foundation, the Supreme Court in the 21st century has continued to safeguard the rights of prisoners, reinforcing their right to humane treatment and dignity are consistently applied even within correctional institutions.

36. The Supreme Court in **Mehmood Nayyar Azam v. State of Chhattisgarh** (2012),<sup>12</sup> observed that a person in custody retains their basic human rights and inherent dignity, and that police officers are bound to refrain from inhuman treatment.

37. In 2015, in **Shabnam v. Union of India**,<sup>13</sup> the Supreme Court reaffirmed that human dignity must be preserved even in the case of a prisoner sentenced to death. The Court held that from the confirmation of the death sentence by the highest court until its execution,

---

<sup>12</sup> (2012) 8 SCC 1

<sup>13</sup> (2015) 6 SCC 702

the convict is entitled to be treated with full respect for their human dignity, “to the extent which is reasonable and permissible in law”. The Court explained the principle of human dignity in the following words, and I quote: *“human dignity is infringed if a person’s life, physical or mental welfare is alarmed. It is in this sense torture, humiliation, forced labour, etc. all infringe on human dignity. It is in this context many rights of the accused derive from his dignity as a human being.”*

38. The Supreme Court in a judgment of 2019, titled, **‘X’ v. State of Maharashtra**,<sup>14</sup> while holding that “post conviction severe mental illness will be a mitigating factor” in commuting the death sentence, emphasized that the “right to dignity of an accused does not dry out

---

<sup>14</sup> (2019) 7 SCC 1

with the Judges' ink, rather, it subsists well beyond the prison gates and operates until his last breath".

39. More recently, in October 2024, referring to the principle of human dignity, the Supreme Court in the case of **Sukanya Shantha v. Union of India** struck down prison manuals which discriminated against individuals on the basis of their caste. The Court held that such provisions perpetuate "the idea that some individuals are inherently suited to low-status labour based solely on their birth, reinforcing deep-rooted caste inequalities." It was noted that "such provisions deprive prisoners from marginalized groups of a sense of dignity and the expectation that they should be treated equally."

40. We also find that the principle of human dignity has played a crucial role in how the Supreme Court has

derived unenumerated rights from the Constitution. Article 21, which guarantees the right to life and personal liberty, has been the primary foundation for recognizing such rights. As I stated, the Court in **Francis Coralie** emphasized that the right to life is not confined to mere existence but extends to living a life with dignity, thereby broadening its ambit.

41. Another crucial judgment here is **Mohini Jain v. State of Karnataka** (1992), where the Court declared the right to education as a fundamental right under Article 21. The Court made it clear that education is not just a policy goal but a constitutional necessity for a life of dignity. As the Court observed, and I quote: “*The dignity of man is inviolable. It is the duty of the State to respect and protect the same. It is primarily the education which brings forth the dignity of a man.... An individual cannot be assured of human dignity unless his*

*personality is developed and the only way to do that is to educate him.”*<sup>15</sup> Education was highlighted as a facilitator for realizing one’s dignity.

42. As we marched in the 21<sup>st</sup> century, the ambit and scope of human dignity was further expanded by the Supreme Court in **M. Nagaraj v Union of India**,<sup>16</sup> as the Court held that it is “*the duty of the State not only to protect the human dignity but to facilitate it by taking positive steps in that direction.*”<sup>17</sup>

43. In **Sukanya Shantha** in 2024, the Court declared that Article 21 includes the right to overcome caste barriers as a part of the right to life of individuals from marginalized communities. This is to ensure that “they can flourish in an environment of equality, respect, and

---

<sup>15</sup> Mohini Jain v. State of Karnataka, 3 SCC 666, para 8 (1992).

<sup>16</sup> (2006) 8 SCC 212.

<sup>17</sup> Ibid, at page 243-244 (para 26).

dignity, without being subjected to caste-based discrimination which stifles their personal growth”.

44. Another important aspect of the discourse on human dignity is that it is intrinsically connected to an individual’s autonomy and capacity to make decisions about their own life. It encompasses the freedom to exercise choice, personal agency, and self-determination. The courts have consistently recognized that human dignity and personal autonomy are mutually reinforcing. A person cannot truly live with dignity if they are denied the ability to make choices regarding their body, actions, or life circumstances. This interconnection has been central to judicial reasoning in areas such as reproductive rights, privacy, and the right to refuse medical treatment, where the courts have emphasized that respect for autonomy is a

fundamental component of the right to live with dignity under Article 21.

45. In **Suchita Srivastava v. Chandigarh Administration** (2009),<sup>18</sup> the Court observed that a woman's right to make reproductive choices is an essential facet of 'personal liberty' under Article 21 of the Constitution. It emphasized that reproductive autonomy encompasses both the decision to procreate and the choice to refrain from procreation, and that the fundamental considerations are the protection of a woman's privacy, dignity, and bodily integrity.

46. The Supreme Court in **Selvi v. State of Karnataka**<sup>19</sup> recognized that a forcible intrusion into a person's mental processes is also an affront to human

---

<sup>18</sup> AIR 2010 SC 235

<sup>19</sup> (2010) 7 SCC 263



dignity and liberty, often with grave and long-lasting consequences.<sup>20</sup>

47. A strong emphasis on dignity is made in the nine-judge bench decision in 2017 in **KS Puttaswamy v. Union of India**.<sup>21</sup> This judgment declared the right to privacy as a fundamental right, flowing through various provisions of Part III of the Constitution. It was held, *“Dignity cannot exist without privacy. Both reside within the inalienable values of life, liberty and freedom which the Constitution has recognised”*. Privacy *“straddles across the spectrum of Fundamental Rights and protects for the individual a zone of choice and self-determination.”*<sup>22</sup> Privacy was held to be *“the constitutional core of human dignity.”*<sup>23</sup> It affirms that living with dignity is essential to realizing the liberties

---

<sup>20</sup> Ibid, at page 376 (para 244)

<sup>21</sup> KS Puttaswamy v Union of India, 10 SCC 1 (2017).

<sup>22</sup> Chandrachud J, in KS Puttaswamy Para 169.

<sup>23</sup> Chandrachud J, in KS Puttaswamy, Para 3(E) [Conclusion].

and freedoms that form the cornerstone of our Constitution.<sup>24</sup>

48. In 2018, in **Common Cause v. Union of India**<sup>25</sup>, the Court permitted passive euthanasia in cases of terminally ill persons. The Court reiterated that the term “life” in Article 21 encompasses the right to live with human dignity, which also includes the “right to die with dignity” as an intrinsic aspect of the right to live with dignity. This interpretation underscores that the right to a dignified existence extends throughout the natural course of life, encompassing not only the quality of living but also the manner and procedure of death. Beyond personal autonomy, other dimensions of human dignity, such as self-expression and the right to make decisions, reinforce the principle that it is

---

<sup>24</sup> Chandrachud J, in *KS Puttaswamy* Para 113.

<sup>25</sup> AIR 2018 SC 1665.

ultimately the patient's choice to accept or refuse medical treatment.

49. Across these judgments, the judiciary has repeatedly affirmed that protection of autonomy is a core mechanism through which the Constitution safeguards human dignity, reinforcing the interdependence of these two fundamental principles.

50. I will now turn to how the Court has acknowledged human dignity not only as an individual right but also as a collective or group value, particularly in the context of marginalized and socially disadvantaged communities. The judiciary has recognized that structural inequalities, historical injustices, and systemic discrimination can undermine the dignity of entire social groups, and that protecting their dignity requires affirmative measures, safeguards, and

equality-oriented interventions. Through its jurisprudence, the Court has consistently emphasized that dignity encompasses social recognition, respect, and the opportunity for marginalized communities to participate fully and equally in society, extending beyond mere legal protection to address entrenched social hierarchies and exclusion.

51. In **People's Union for Democratic Rights v. Union of India** (1982),<sup>26</sup> the Court examined the violation of labour laws during the construction of the Asian Games complex in New Delhi and emphasized that whenever construction work is undertaken, whether departmentally or through contractors, the government or any public authority must ensure strict compliance with labour laws. Authorities should not wait for complaints from workers, but must conduct

---

<sup>26</sup> AIR 1982 SC 1473

regular and surprise inspections to detect any violations. The Court highlighted that Article 23 prohibits forced labour in any form, as it violates human dignity and fundamental human values. It further held that even if remuneration is paid, labour performed under compulsion or without free consent constitutes “forced labour” under Article 23. This judgment underscored that labour must be provided voluntarily, without coercion or compulsion, as a fundamental aspect of respecting the inherent dignity of the worker. Importantly, this decision set a precedent for a series of subsequent judgments that reinforced the principle of the dignity of labour, emphasizing that all workers, regardless of their social or economic status, are entitled to fair treatment and safe working conditions.

52. Later, highlighting the need to protect the marginalized communities such as the Scheduled Castes and the Scheduled Tribes in **Chameli Singh v. State of U.P.**<sup>27</sup>, the Court reiterated that the “*right to live as a human being is not ensured by meeting only the animal needs of man*”, but it “*is secured only when he is assured of all facilities to develop himself and is freed from restrictions which inhibit his growth*”. The Court articulated that the true purpose of securing dignity of person and equality of status is to create supportive conditions, which include the right to food, water, decent environment, education, medical care and shelter. Such conditions will ensure that every citizen may grow and participate as an equal in our democracy.<sup>28</sup>

---

<sup>27</sup> 2 SCC 549, para 8 (1996).

<sup>28</sup> Chameli v State of Uttar Pradesh AIR 1996 SC 1051, para 8.

53. In a significant judgment in **Vishakha v. State of Rajasthan** (1997),<sup>29</sup> the Court laid down guidelines to prevent sexual harassment against women at the workplace. It was held that “Gender equality includes protection from sexual harassment and right to work with dignity, which is a universally recognised basic human right.”

54. In **Charu Khurana and others v. Union of India** (2015),<sup>30</sup> the Supreme Court struck down rules of the Cine Costume Make-up Artists and Hair Dressers Association that barred female make-up artists from becoming members. The Court observed that equality cannot be realized without equal opportunities, and noted that preventing a woman from entering a profession for which she is qualified not only denies her

---

<sup>29</sup> AIR 1997 SC 3011

<sup>30</sup> (2015) 1 SCC 192.

the opportunity to work but also “clips her capacity to earn her livelihood which affects her individual dignity.” The Court remarked that “all practices derogatory to the dignity of women are to be renounced.”

55. In **Secretary, Ministry of Defence v. Babita Puniya**,<sup>31</sup> a two-judge Bench upheld the claims of women engaged on Short Service Commissions in the Army to seek parity with their male counterparts in obtaining Permanent Commissions. The Court held, “To cast aspersion on their abilities on the ground of gender is an affront not only to their dignity as women but to the dignity of the members of the Indian Army – men and women – who serve as equal citizens in a common mission.” The Court gave several directions to the Union

---

<sup>31</sup> 2020 INSC 198



Government to grant Permanent Commission to women officers in the Army and consequential benefits.

56. Subsequently, the women officers of the Army approached the Supreme Court in **Lt. Col. Nitisha v. Union of India**<sup>32</sup> (2021) to challenge the evaluation criteria applied by the Army to grant permanent commissions, as unjust and arbitrary as “the women officers who are in the age group of 40-50 years of age are being required to conform to the medical standards that a male officer would have to conform to at the age of 25 to 30 years, among other factors”. The Court concluded that the process adopted by the Army to grant Permanent Commissions to women officers failed to remedy the gendered discrimination identified earlier in **Babita Puniya**. The evaluation procedure was found to constitute indirect and systemic discrimination,

---

<sup>32</sup> (2021) 15 SCC 125

disproportionately affecting women. The Court held that this discrimination inflicted both economic and psychological harm and constituted “an affront to their dignity”.

57. The dignity of persons with disabilities has also been increasingly recognized by the courts as an essential facet of constitutional protection. Judicial pronouncements have emphasized that persons with disabilities are entitled to live with self-respect, dignity, autonomy, and equality, and that society and the State have a duty to remove barriers, physical, social, and institutional, that hinder their full participation in public and private life.

58. In **Jeeja Ghosh v. Union of India** (2016),<sup>33</sup> the Supreme Court awarded compensation to the petitioner

---

<sup>33</sup> (2016) 7 SCC 761.

to be paid by an airline which had deboarded her from the aircraft because of her disability. The Court found this incident as discriminatory against persons with disability. It was noted that rights of persons with disability are “founded on the sound principle of human dignity”, which is “a constitutional value and a constitutional goal”. The Court recognized the principle of “reasonable accommodation” for persons with disability.

59. In **Vikash Kumar v. Union Public Service Commission**<sup>34</sup> (2021), the Court held that the provision of a scribe is mandated by law to ensure that persons with disabilities can live a life of equality and dignity, with their bodily and mental integrity respected by society. It observed that it was fundamentally wrong for the UPSC/DoPT to restrict this facility solely to persons

---

<sup>34</sup> AIR 2021 SC 2447

with benchmark disabilities. The Court emphasized that all necessary support and accommodations must be provided to enable persons with disabilities to participate on an equal footing.

60. More recently in **Amar Jain v. Union of India** (2025), the Court was hearing a petition filed seeking directions to the various respondents to formulate appropriate rules and guidelines for conducting Digital KYC/ e-KYC / Video KYC process through alternative methods to ensure an inclusive and accessible process to all persons with disabilities. The Court held that, and I quote: *“Bridging the digital divide is no longer merely a matter of policy discretion but has become a constitutional imperative to secure a life of dignity, autonomy and equal participation in public life. The right to digital access, therefore, emerges as an intrinsic component of the right to life and liberty, necessitating*

*that the State proactively design and implement inclusive digital ecosystems that serve not only the privileged but also the marginalized, those who have been historically excluded.”*

61. Overall, the Supreme Court has been consistent in evolving the human dignity jurisprudence. To give examples, I now take the liberty of referring to two of my own judgments in the last one year. The first is “**In Re: Directions in the matter of demolition of structures**” (2024),<sup>35</sup> where the Court laid down certain guidelines to prevent illegal demolition of structures, including the home of accused persons. In doing so, the Court also noted, “Having a house or a roof over one’s head gives satisfaction to any person. It gives a sense of dignity and a sense of belonging.”

---

<sup>35</sup> 2024 INSC 866

62. Second, and more recently, in **T.N. Godavarman Thirumulpad v. Union of India**<sup>36</sup> (2025), while dealing with the issue of hand-pulling rickshaws in a town in Maharashtra, the Court held, “*The persons towing hand cart/rickshaw in Matheran do so not of their own choice but since they have no other source of livelihood. Permitting such an inhuman practice, which hits the concept of human dignity in a country like India, which is marching towards becoming a developed country from a developing country, belittles the constitutional promise of social and economic justice*”. The Court directed the State, as its duty under the Directive Principles of State Policy to ensure that social and economic justice is done to the citizen, should form a scheme for rehabilitation of these hand cart/rickshaw pullers so that they are not deprived of their livelihood.

---

<sup>36</sup> 2025 INSC 996

63. Significantly, the Supreme Court had earlier highlighted the connection between human dignity and the Directive Principles of State Policy in the **Bandhua Mukti Morcha** judgment of 1984.<sup>37</sup> Dealing with the issue of bonded labour, Justice PN Bhagwati emphasized that Article 21 guarantees the right to live with human dignity, free from exploitation, and that this right draws its vitality from the Directive Principles of State Policy, particularly clauses (e) and (f) of Article 39, as well as Articles 41 and 42. He concluded that at a minimum, human dignity entails safeguarding the health and strength of workers, ensuring protection for children against abuse, providing opportunities for growth under conditions of freedom and dignity, access to education, just and humane working conditions, and maternity relief.

---

<sup>37</sup> AIR 1984 SC 802

64. I will not burden you with more judgments now and would straight away come to the conclusion.

65. I would say that the judiciary has emphasized human dignity as the soul of the Constitution. It has held human dignity to be a pervasive principle that underlies the very spirit and philosophy of the Constitution, shaping the core values articulated in the Preamble: liberty, equality, fraternity, and justice.

66. Across a wide array of judgments in the 20<sup>th</sup> and the 21<sup>st</sup> century, the Supreme Court has consistently recognized that human dignity is both a substantive right and a normative lens through which all fundamental rights must be understood. It has been employed not only to safeguard a dignified existence for individual citizens, but also as a constitutional tool to expand, interpret, and harmonize rights, ensuring that



the protection afforded by the Constitution is meaningful and comprehensive.

67. In practice, this means that dignity serves as a guiding principle that connects rights, allowing the judiciary to develop a coherent and holistic framework for constitutional adjudication.

68. Whether in the context of prisoners, workers, women, or persons with disabilities, human dignity informs the understanding of autonomy, equality, and justice, ensuring that the law protects not only physical survival but also the broader conditions necessary for a life of self-respect, freedom, and opportunity.

69. By anchoring constitutional interpretation in dignity, the Supreme Court has ensured that the Constitution remains a living instrument, capable of

responding to evolving societal challenges while remaining faithful to its foundational values.

70. I end my lecture by quoting from the privacy judgment:

*“To live is to live with dignity... Dignity is the core which unites the fundamental rights because the fundamental rights seek to achieve for each individual the dignity of existence.”*<sup>38</sup>

71. Thank you.

---

<sup>38</sup> KS Puttaswamy v Union of India, 10 SCC 1 (2017), para 107