

Case name

Aruna Shanbaug's Right to Die with Dignity (2011)

Case

The Supreme Court of India was hearing a plea filed by Pinki Virani on behalf of Aruna Shanbaug, who had been in a persistent vegetative state since 1973. The Court had appointed a three-member medical board to examine Aruna and submit a report.

Brief Summary

The Supreme Court observed that the right to die with dignity is an integral part of the right to life guaranteed under Article 21 of the Constitution. The Court also held that passive euthanasia is legal in India, provided certain safeguards are maintained.

Main Arguments

The main arguments revolved around the right to die with dignity, the sanctity of human life, and the potential consequences of permitting passive euthanasia. The Court had to balance these competing interests and consider the best interests of the patient.

Legal Precedents or Statutes Cited

The Supreme Court relied on several legal precedents, including *Aruna Shanbaug v. Union of India* (2011) 10 SCC 756, *Gian Singh v. State of Punjab* (2012) 10 SCC 303, and the Medical Council of India (MCI) guidelines.

Quotations from the court

"The right to die with dignity is integral to the right to life guaranteed by Article 21 of the Constitution of India. The right to life includes the right to live with human dignity and the

right to die with dignity." - Justices DY Chandrachud and MR Shah

"It is ultimately for the court to decide as *parens patriae* as to what is in the best interests of a patient who is in a persistent vegetative state, though the wishes of the close relatives and next friend, and the opinion of medical practitioners, should be given due weight." - Justices L. Nageswara Rao, BR Gavai, and Krishna Murari

Present Court's Verdict

The Supreme Court held that the right to die with dignity is a facet of the right to life guaranteed under Article 21 of the Constitution. The Court also observed that passive euthanasia is permissible in India if it is carried out in accordance with the guidelines issued by the Medical Council of India (MCI) in 2018.

Conclusion

The Supreme Court's decision in Aruna Shanbaug's case recognized the right to die with dignity as a fundamental right under Article 21 of the Constitution. The Court also established the procedure for passive euthanasia in India, emphasizing the importance of safeguards to protect the rights of patients and their families.