
INTERNATIONAL JOURNAL OF ADVANCED LEGAL RESEARCH

THE GOLDEN TRIANGLE OF THE INDIAN CONSTITUTION- Lakshya Sharma¹**INTRODUCTION**

With 448 articles, 24 sections, and 12 schedules, the Indian Constitution is the largest written constitution in the world. It is extremely comprehensive and well thought out. The constitution had 395 articles, 8 schedules, and 22 parts when it was established in 1950. Many of the revisions approved by the parliament were in response to the shifting requirements of society and to improve knowledge of the legal environment. 106 modifications have been passed thus far, and more will be added in the future based on necessity.

The essential rights protected by the Indian Constitution are discussed in Part 3 of the document (articles 12-35). From the moment of their birth until their dying breath, all people are guaranteed these fundamental rights, which provide that the state cannot discriminate against you on six grounds, and you have these six rights:

1. Right to Equality
2. Right to freedom
3. Right against exploitation
4. Right to Freedom of Religion
5. Cultural and educational rights
6. Right to Constitutional Remedies

The Indian Constitution's golden triangle, which consists of Articles 14, 19, and 21, is a very technical term used in the judicial system. They come together to form a golden triangle, and they are all so dependent on one another that none of them could operate alone. These three

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articles are viewed together in every constitutional law decision since they cannot be read separately, and the judicial officer eventually needs to depend on all three of them at once or on two of them concurrently.

Article 14

Part III of the Constitution contains Article 14, which is the first basic right and falls within the category of the Right to Equality (14–18). The right to equality is defined quite broadly in Article 14 and is further defined in Article 15, which lists the five grounds on which the state is not allowed to discriminate against an individual.

"Article 14: Equality before law: The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India. Prohibition of discrimination on grounds of religion, race, caste, sex, or place of birth"

A thorough analysis of Article 14 reveals that it refers to two concepts: equality before the law and equal protection under the law. While both terms appear similar, they differ greatly.

1. Equality before the law: this concept is negative in nature because it forbids the government from treating people unfairly and from passing laws that discriminate against them. This idea was inspired by the United Kingdom and included in the constitution.
2. Equal protection under the law: This concept serves to provide people with equal protection by imposing a positive mandate on the state to make laws that are in the best interests of the general public. It was also inspired by the United States of America. Many landmark judgements interpreted and expanded the scope of Article 14 of the Indian Constitution.

Some of the key judgements are:

- **State of Bombay v. FN Balsara (1951)**

This ruling established a doctrine—intelligible distinction and rational nexus—that interprets whether an act qualifies as equal or not in terms of group classification. It offers an intellectual

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framework that explains why a group should be classified as well as the logical relationships between the classification process and the ultimate objective.

- **EP Royappa v. State of Tamil Nadu (1974)**

This judgement widened the scope of the old doctrine and said that the act that has been done should be reasonable as well, and there should be no arbitrariness of the state involved in that action. If there are these two things present, then it can be classified as a reasonable classification. e.g., classifying women and making laws for them, or classifying backward classes and making laws for them.

- **Indra Sawhney v. Union of India (1992)**

The quota provision for Scheduled Tribes and Scheduled Castes was upheld in this ruling, although it was limited to 50% of the available seats. The concept of the creamy layer was also introduced, denying reservation advantages to members of the backward classes who had advanced socially and economically.

- **Maneka Gandhi v. Union of India (1978)**

This judgement expanded the scope of Article 14 by interrelating it to Article 21 (Right to Personal Liberty) and stated that the law must be fair and reasonable. It also introduced the natural justice concept, which states that all government actions must be rational, fair, and just, and held that freedom to travel abroad is an essential component of the right to personal liberty.

- **ArunaShabaug v. Union of India (2011)**

This case addressed the issue of euthanasia and highlighted that the right to life includes the right to die, in connection with articles 14 and 21. In the Aruna Shanbaug case, the Indian Supreme Court acknowledged the value of a person's autonomy and dignity when it comes to making decisions regarding their own life and death. It underlined that one of the essential components of the right to life protected by Articles 14 and 21 of the Indian Constitution is the right to pass

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away with dignity. The court also established rules for passive euthanasia, which permit people to seek the removal of life support or decline medical care in specific situations.

Article 19

Article 19 primarily focuses on the right to freedom of speech and expression, which includes the right to hold opinions and to receive and impart information. This right is essential to guaranteeing that people may freely express their opinions without worrying about persecution or censorship. Article 19 also includes the freedom to organise unions and groups and to congregate peacefully and without the use of weapons. These rights are fundamental to the development of a democratic society in which people are free to voice their opinions and work together for the common good.

Article 19(1) has seven sub-subsections, which are

- a. to freedom of speech and expression;
- b. to assemble peaceably and without arms;
- c. to form associations or unions;
- d. to move freely throughout the territory of India;
- e. to reside and settle in any part of the territory of India; and
- f. omitted
- g. to practise any profession or to carry on any occupation, trade, or business

Article 19(1) (f) was removed from the 44th Amendment to the Indian Constitution. The purpose of this modification is to make sure that the right to property is now seen as a legal right rather than a fundamental one. Since the elimination of this clause dramatically altered the meaning of Article 19, it generated discussions and disputes among civilians and legal professionals alike.

Reasonable restrictions are the limitations imposed upon the freedom granted, and they are provided under Article 19(2) and Article 19(6), setting justifications assigned in order to prove the need for imposing restrictions. These restrictions are necessary to ensure that the right to property does not infringe upon the larger public interest or the rights of others. They serve as a

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balance between individual freedoms and societal welfare, allowing for harmonious coexistence within a democratic framework.

There are mainly three characteristics of restrictions to be imposed.

1. The restriction should be reasonable in nature. The rationale behind it is why the restriction is there.
2. Restrictions must be imposed only under the authority of law through order notification by law given to an authority.
3. Restrictions must strictly relate to restrictions mentioned under clauses (2) to (6) under Article 19.

The burden of proof also differs in different situations.

1. If a law order or notification is challenged on the ground that a fundamental right is being violated, then the appellant has to prove their violation. If the court, prima facie, is satisfied that a fundamental right is being violated, it shifts to the state to prove that restrictions are valid.
2. Since the restrictions are brought upon by the state itself, the state needs to prove that the restrictions and post fall within the characteristics defined. These characteristics include being reasonable, having a legitimate aim, and being proportionate. The burden of proof lies with the state, as it has the authority to impose restrictions on the fundamental rights of individuals.

- **State of Madras vs. VG Row (1952)**

The Supreme Court held that to decide reasonable restrictions, courts must consider the following factors: the duration and extent of restrictions, the circumstances, the manner in which they are authorised, the purpose of the restriction, and the nature of the right infringed. These elements aid in guaranteeing that any limitations imposed by the government are neither capricious nor overbearing. The courts can achieve a balance between defending individual rights and enabling the state to carry out its justifiable objectives by taking these issues into account. This strategy supports the rule of law and aids in preserving democratic ideals.

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- **Christian Medical College Vellore Association vs. Union of India (2020)**

The Supreme Court settled and held that in examining the reasonableness of a statutory provision, falling factors have to be kept in mind. DPSP restrictions must not be arbitrary or excessive in nature so as to go beyond the requirements of the general public. A balance has to be struck between restrictions imposed and social control—prevailing social values and needs that are intended to be satisfied by restrictions. There must be a direct nexus between the restrictions imposed and the objectives to be achieved.

- **Maneka Gandhi vs. Union of India**

The Supreme Court held that a statutory provision may not be violative of Article 19 as such, but an action taken under seven provisions may be found to be violative of the rights of an individual under Article 19, and such action must satisfy the direct and inevitable consequence criteria for being intra-vires under the statutory provision.

- **Om Kumar vs. Union of India 2000**

The doctrine of proportionality, defined in this case, is that courts are entitled to consider the proportionality of restrictions, which means that restrictions should not be arbitrary, legislation should not be unreasonable, and the direct nexus between restrictions and the object of legislation should be there.

Because it is inextricably linked to the other two articles in the Golden Triangle, Article 19 is significant. The freedom to voice one's thoughts, ideas, and complaints undermines the value of Article 14's right to equality. Likewise, freedom of movement, association, and assembly are integrally tied to the rights to life and liberty, which are safeguarded by Article 21. These liberties enable people to hold the government responsible, engage in public life, and achieve their goals.

Beyond its literal relationship to the other articles, Article 19 plays a more significant function in the Golden Triangle. It is the cornerstone of a democratic society, encouraging various perspectives, well-informed decision-making, and the ability of citizens to question the status

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quo. These liberties are necessary for a healthy democracy where people may actively participate in determining the direction of their country.

Article 19 serves as a link between the people and the government. It guarantees that power is not used arbitrarily by enabling citizens to hold the government responsible for its deeds. For instance, the right to freedom of speech and expression enables people to demand openness, scrutinise government policies, and reveal wrongdoing. All in all,

The place of Article 19 in the Golden Triangle illustrates its essential function in defending individual liberties, advancing democratic principles, and upholding the rule of law. It is evidence of the Indian Constitution's founders' recognition of the unbreakable link between individual liberties and a fair and just society.

Article 21

"Article 21: Protection of life and personal liberty No person shall be deprived of his life or personal liberty except according to procedure established by law."

The Indian Constitution's Article 21 provides an essential protective measure for each person's right to life and personal freedom. It guarantees that no one may be stripped of these fundamental rights without first going through a legally mandated procedure and highlights the need of due process. The determination of the architects of the Constitution to preserve justice and safeguard the dignity and welfare of every person is reflected in this clause.

Article 21 not only includes Life and Personal Liberty but many fundamental rights are covered under this article which are interpreted by time to time by the courts to ensure their relevance and applicability in contemporary society. The dynamic interpretation of Article 21 has allowed for the expansion of rights such as

1. **Right to life with dignity:** The right to life under Article 21 encompasses not merely the right to physical existence, but also the right to live with dignity. It includes the right to have basic necessities of life like food, shelter, and clothing, ensuring a decent standard of living. This right guarantees that individuals should not be subjected to inhumane or degrading treatment.

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2. Right to personal liberty: The right to personal liberty ensures that individuals are free to act as they wish and enjoy personal autonomy, subject to reasonable restrictions. It protects against arbitrary arrests and detentions, and any laws or actions that curb one's personal freedom.
3. Right to privacy: The right to privacy was recognized as a fundamental right within the ambit of Article 21 by the Supreme Court in the landmark judgment of K.S. Puttaswamy v. Union of India. It protects individuals against unlawful intrusion into their personal lives, including their private spaces, communications, and personal data.
4. Right to a fair trial: The right to a fair trial guarantees that every person accused of an offense is entitled to certain procedural safeguards. These include the right to be informed of the charges, the right to legal representation, the presumption of innocence until proven guilty, the right to present evidence and cross-examine witnesses, and the right to an impartial judge.
5. Right against torture and cruel, inhuman, or degrading treatment: Article 21 prohibits any form of torture or inhumane treatment, be it inflicted by state actors or private individuals. This right protects individuals from physical or mental torture, degrading treatment, or punishment that violates their dignity.
6. Right to legal aid: The right to legal aid ensures that individuals who cannot afford legal representation should not be denied access to justice. Under this right, individuals who are economically or otherwise disadvantaged are entitled to free legal aid or assistance, primarily in criminal proceedings, to uphold their right to a fair trial.
7. Right to healthcare: The Supreme Court has recognized the right to healthcare as an essential component of the right to life. This includes access to affordable and quality medical facilities, medicines, and the right to a healthy life. The right to healthcare places an obligation on the state to provide adequate healthcare infrastructure and services for its citizens.
8. Right to a clean environment: Although not explicitly mentioned in Article 21, the Supreme Court has interpreted that a pollution-free environment is an integral part of the

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right to life and personal liberty. This right implies the obligation of the state and individuals to protect and preserve the environment for the overall well-being and health of the people.

9. Right to education: While not expressly mentioned in Article 21, the right to education has been recognized as part of the right to life and dignity by the judiciary. It emphasizes that every child has the right to free and compulsory education up to a certain age, enabling them to develop their potential and participate fully in society.

Over time, the definition of "life" has expanded in the interpretation of Article 21. 'Life' extends beyond existence, even if it can appear self-explanatory. Indian courts have ruled that the right to a dignified existence, unpolluted surroundings, and means of subsistence are all included in the definition of "life." This broad perspective emphasises how vital human wellbeing and quality of life are.

As a notion, Right to Life encompasses not just the existence of the Right to Die, which has a long and rich history of its own. The 1996 Supreme Court of India ruling in "Gian Kaur v. State of Punjab" is one notable instance when the right to die was not accepted. The right to die by means of physician-assisted suicide, or euthanasia, was the subject of this particular case.

The Supreme Court ruled in this case that the right to death or the right to be killed is not included in the Article 21 "right to life." The Court emphasised that the right to life is an essential right that cannot be construed as the right to terminate one's life. In India, the Supreme Court has recognized the right to die with dignity as a fundamental right protected under Article 21 of the Constitution. This right emphasizes an individual's right to approach death with dignity and free from unnecessary pain and suffering.

The landmark case related to the right to die with dignity is the "Common Cause v. Union of India," commonly known as the "Pinky Virani case" (2011), which dealt with the issue of passive euthanasia. The court, in this case, recognized that in certain situations where a person is suffering from a terminal illness or in a persistent vegetative state, withdrawal of life support can be permissible under strict guidelines. The Supreme Court laid down specific procedural safeguards, which include the opinion of a medical board, approval by a high court, and the input of the family members or next of kin.

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Another significant case on this matter is the "Aruna Shanbaug case" (2011), where the Supreme Court held that passive euthanasia can be allowed in exceptional cases following the guidelines set in the Pinky Virani case. It is essential to understand that active euthanasia, which involves the intentional act of causing death to relieve suffering, is not legally recognized in India. In addition, the decision to allow passive euthanasia is subjected to strict scrutiny, and each case is assessed individually.

Conclusion

In conclusion, the Indian Constitution's "golden triangle," which is made up of Articles 14, 19, and 21, serves as a vital cornerstone for the defense of individual freedoms, the advancement of democratic values, and the maintenance of the rule of law in India. Together, these three articles guarantee every citizen a set of essential freedoms and rights. Their interconnectedness highlights the importance of these rights in a just and equitable society. Article 14 guarantees equal treatment under the law and protects against discrimination based on a variety of criteria. It is a part of the Right to Equality.

The Indian judiciary has consistently broadened the interpretation of Article 14, stressing non-arbitrariness, rationality, and justice in the administration of law, via seminal rulings and doctrines. Article 19, which addresses the Right to Freedom, protects fundamental liberties including assembly, association, speech, and expression, enabling people to engage in public life and hold their government responsible.

Article 19's definition of reasonable limits strikes a balance between the welfare of society and individual rights. The Golden Triangle's cornerstone, Article 21, safeguards people's rights to life and liberty. This wide meaning encompasses more than just physical existence; it includes the right to privacy, healthcare, education, a clean environment, and the ability to pass away with dignity under certain restrictions. These three elements are essential to building a just and democratic society in which people are free to challenge the status quo, voice their ideas, and hold the government responsible for its deeds.

The Indian judiciary's progressive interpretation of these provisions guarantees their continued relevance and adaptability to the changing demands of society. The Golden Triangle is evidence of the framers of the Indian Constitution's understanding of the close relationship between

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individual liberty and a just and equitable society. It emphasizes how crucial it is to defend fundamental freedoms and rights as the cornerstone of a strong democracy and a forward-thinking country.



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