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Critical Analysis of Common Cause (A Regd. Society) V. Union of India & Anr. (Verdict on Passive Euthanasia) & Such Related Cases in the Light of the Related Topic

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ABSTRACT

Euthanasia is defined as mercy killing. It is the practice of putting death on a person who is suffering from a painful and incurable disease. Euthanasia is of two types active euthanasia and passive euthanasia. In the former type of euthanasia, a person is killed by lethal injection for example, while in the latter type a person is put to death for example by withdrawing the life-supporting system such as taking off the artificial heart-lung system. The primary aim of this research paper is to critically analyze the case of Common cause v. Union of India which is a landmark case on euthanasia in India. Along with discussing the above case other related cases also have been discussed in detail by critically analyzing them. A comprehensive discussion is made in this paper on issues related to euthanasia such as legal, moral, ethical, social and religion-based issues. Various sources have been used by the researcher in this paper such as case laws, legislations, articles, scientific journals, holy books etc for conducting effective research. In this research paper, an attempt has been made to see whether the decision given in the above-cited case laws is correct or not by comparing it with foreign nations to India. Euthanasia has a lot of issues. If it's legalized in every part of the world it may be misused. There can be an increase in the rate of people opting for euthanasia.

Keywords: *Euthanasia, Physician-Assisted-suicide, Mercy killing.*

I. INTRODUCTION

Euthanasia is termed mercy killing. It is performed in such a state where a person has no hopes of recovery and who is suffering from such pain which is unbearable and unremitting. It is performed only when there is no other alternative left. Euthanasia has many issues with it such as if it is legalized completely without any restrictions then it may be misused by people and the patient may be forced to give consent to go with either type of euthanasia active or passive. In India, there are two high-profile cases which are related to each other and decided by the SC.

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One case is of Aruna Shambaugh and the other is Common cause v. Union of India. In the latter case, the SC legalized euthanasia with restrictions to be complied with. SC has said that in India euthanasia can be legalized only through legislation in Gian Kaur's case. Even though there is some legal status given to passive euthanasia in India there are problems which make this euthanasia not suitable for India. Consent has to be given before performing it and this consent may be coerced, influenced, by corruption it may be said that the living will be written by the person is correct and should be executed with promptitude. The researcher has used Primary and secondary sources for conducting this study. The researcher in this paper has mainly carried out doctrinal and comparative legal research. The scope of the research paper is concerning India but for comparative analysis of foreign acts, articles written by scholars, and statistics have been used. There is a lot of chaos caused when discussing euthanasia. The world is filled with various religions, beliefs etc which makes this concept difficult. Euthanasia can be legalized only by strict rules and regulations in India and also in the entire world. Parliament may face a lot of opposition in India due to the diversity of opinions from different religions in India.

II. EUTHANASIA

The word euthanasia is derived from the Greek word, where "EU" means good and "Thanatos" means death which means good death². Euthanasia can be defined as mercy killing, here it can be termed as an act or practice of putting death to a person painlessly who is suffering from a painful and incurable disease which is intolerable or it can also be termed as allowing a person to die by withholding the treatment or withholding the artificial life support system on which the person was being treated which was necessary for him/her³. This is a complicated topic because it is inextricably intertwined with different ethical, moral, social and legal aspects. Euthanasia can be voluntary, non-voluntary and involuntary. Voluntary euthanasia is given when the person is capable of giving consent which can be termed implied consent. In non-voluntary euthanasia acceptance or consent cannot be taken by the person to whom it is given it may be because the person might be in a coma or another disease which might make the person's condition so that he/she might not be able to give consent. Involuntary euthanasia is given against the will of the patient⁴ or it can be for social convenience⁵. Euthanasia is of two

² SCHOOL OF MEDICINE UNIVERSITY OF MISSOURI, <https://medicine.missouri.edu/centers-institutes-labs/health-ethics/faq/euthanasia> (last visited May. 15, 2022).

³ BRITANNICA, <https://www.britannica.com/topic/euthanasia> (last visited May. 16, 2022).

⁴ SCIENCE DIRECT, <https://www.sciencedirect.com/topics/medicine-and-dentistry/involuntary-euthanasia> (last visited May. 16, 2022).

⁵ Common cause (A regd. society) v. Union of India & Anr, Writ Petition (Civil) No. 215 of 2005.

types active euthanasia and passive euthanasia. The former is killing a person forcefully for example injecting a lethal injection due to which the patient dies, it may be done due to the worse condition of the patient in which the pain is so terrible that the person needs to escape from it. While the latter type of euthanasia is withdrawing the treatment of the patient due to which the person dies, it may be done for example taking out the ventilator mask (Mask Ventilation), a primary mode of ventilation which is used to provide oxygen and anaesthetic gases etc⁶, stopping antibiotics which are used to prevent the bacterial infection⁷, stopping the heart-lung machine which acts as an artificial heart while the natural heart of a person is arrested⁸. Physician-assisted suicide (PAS) occurs when a physician knowing that a patient may commit suicide gives information about the necessary means example a dose or lethal injection by which the competent patient commits a life-ending act⁹. Physician-assisted suicide is seen as a crime in many countries and is also termed manslaughter¹⁰. There has been a demand from the politicians to legalize PAS but it can be misused widely, for example, children killing their parents for the sake of property and this is a serious concern¹¹, In India PAS is a crime under Sec. 306 of The Indian Penal Code of 1860, Abetment to suicide¹². Euthanasia also attracts criticism from different religions because by euthanasia and PAS, a person does not die naturally and this lead to wide and strong criticism from the scholars of religion. India is a country with a huge diversity in religion if these are completely legalized, a mixed response would be there from the public which will lead to a lot of confusion.

III. ISSUES IN EUTHANASIA

Euthanasia whether it be active or passive, voluntary, involuntary or non-voluntary, has so many social, moral, ethical and legal issues which make this difficult to legislate laws on this. These issues are discussed in the case of *Common cause (A regd. Society) v. Union of India & Anr.* Social problems such as feeling guilty that family members being able to afford the treatment

⁶ SCIENCE DIRECT, <https://www.sciencedirect.com/topics/medicine-and-dentistry/mask-ventilation> (last visited May. 16, 2022).

⁷ NHS INFORM, <https://www.nhsinform.scot/tests-and-treatments/medicines-and-medical-aids/types-of-medicine/antibiotics> (last visited May. 16, 2022).

⁸ Surgical Tech Tips, Understanding the heart-lung machine, YouTube (9-30-2017) https://www.youtube.com/watch?v=RmwMzw_YTNU.

⁹ AMA-ASSN.ORG, <https://www.ama-assn.org/delivering-care/ethics/physician-assisted-suicide> (last visited May. 16, 2022).

¹⁰ PATIENTS RIGHTS COUNCIL, <https://www.patientsrightscouncil.org/site/assisted-suicide-state-laws/> (last visited May. 16, 2022).

¹¹ Farooq Khan & George Tadros, *Physician assisted suicide and euthanasia in Indian context : sooner or later the need to ponder!*, National Library of Medicine (Jan-Mar. 2013), <https://www.ncbi.nlm.nih.gov/pmc/article/PMC3701348/>.

¹² Farooq Khan & George Tadros, *Physician assisted suicide and euthanasia in Indian context : sooner or later the need to ponder!*, National Library of Medicine (Jan-Mar. 2013), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3701348/>.

chose not to do so, the force from the milieu to go for treatment against their will, there is also concern that legalizing euthanasia and PAS would have consequences such as old age people starting to feel that they must die¹³, elderly old aged people, suffering from diseases would be pressurized to choose death by either choosing euthanasia or PAS and this will lead to a negative change in the society where victims such as sensitive and weak people children, old age people, women etc would be affected¹⁴. Legalizing these would lead to the deterrence of palliative care and detrimental to psychological and physical pain¹⁵, abuse of the beneficiaries of the patient wanting the patient to die so that they can inherit the property in promptitude, and physicians administering euthanasia or PAS will face the consequence of social stigma and if done wrongly the legal issues may pop up¹⁶. Various legal issues may arise depending upon the country in which euthanasia is to be carried out. In India, there is no legislation which governs euthanasia. Legislation is important because the Supreme Court of India in the case of *Gian Kaur v. The State of Punjab*¹⁷ said that euthanasia can only be made lawful in India by legislation. The doctrine of double effect is an important principle which should be discussed here. It means that it is sometimes permissible to cause harm to someone as a side effect of bringing good results for someone even though it would not be permissible to cause such harm for bringing good¹⁸. In active euthanasia, men's rea, a guilty mind, and intention to kill a person is involved. While passive euthanasia does not have the intention to cause death. The reason behind carrying out passive euthanasia is not to intervene in the natural process of death by causing intervention by giving some life support. Thus there is no intention to cause the death of the patient the act of the doctor does not constitute either murder or culpable homicide under Sec. 299 of IPC-culpable homicide¹⁹. In euthanasia, the doctor does not cause bodily injury because when euthanasia is performed on a patient he/she dies due to his/her pre-existing medical condition but not by the result of the doctor's action. The above-mentioned Sec. 299 of IPC would attract punishment for the doctor if it has not been clarified by the court and hence there is a clear distinction made between euthanasia and culpable homicide. There are living issues will which

¹³ J. J. Z. Polaris & L.S. Lehmann, *Medical Ethics: Euthanasia and Assisted Suicide*, Encyclopedia of Forensic and Legal Medicine (Second edition) (2016) <https://www.sciencedirect.com/science/article/pii/B9780128000342002482?via%3Dihub>.

¹⁴ J. J. Z. Polaris & L.S. Lehmann, *Medical Ethics: Euthanasia and Assisted Suicide*, Encyclopedia of Forensic and Legal Medicine (Second edition) (2016) <https://www.sciencedirect.com/science/article/pii/B9780128000342002482?via%3Dihub>.

¹⁵ J. J. Z. Polaris & L.S. Lehmann, *Medical Ethics: Euthanasia and Assisted Suicide*, Encyclopedia of Forensic and Legal Medicine (Second edition) (2016) <https://www.sciencedirect.com/science/article/pii/B9780128000342002482?via%3Dihub>.

¹⁶ Common cause (A regd. society) v. Union of India & Anr, Writ Petition (Civil) No. 215 of 2005.

¹⁷ AIR 1996 SC 946.

¹⁸ Common cause (A regd. society) v. Union of India & Anr, Writ Petition (Civil) No. 215 of 2005.

¹⁹ Common cause (A regd. society) v. Union of India & Anr, Writ Petition (Civil) No. 215 of 2005.

is also known as Advance Medical Directive. The medical field is such a profession that it is uniform throughout the world, for example, a person learning about the functioning of the heart in the USA will study the same in India but the laws of the USA and India are not uniform i.e. they differ widely. Hence a living will be executed in India on Indian laws where suppose there are such terms which are consistent according to Indian laws may not be legal in the USA according to their laws. Hence these legal issues arise in a living will. Another issue with a living will is that a person's mind is not always sticking to one thing it may change according to the milieu. Therefore a person who has written a living will and suddenly his/her mind changes and unfortunately patient goes into the state of coma, the person if written in the living will that if I go into coma don't provide me with any medical treatment then, unfortunately, the person who has a wish to live is made to die due to his/her written living will.

According to ethical principles if a person is receiving nutrition from a tube and cannot process and tolerate the procedure then feeding nutrition to the person outweighs the benefits and hence it is ethical to stop giving treatment irrespective of consideration of whether the patient may die or not²⁰. People who support euthanasia argue that in most countries suicide is not considered a crime so therefore it is wrong to consider euthanasia as a crime where the person who has individual freedom and human rights wants to die and it would be ethically wrong to force that person to continue his/her painful life²¹. The major opposition to euthanasia is faced by religion. There is Abrahamic religion which believes that God gives life and it should be taken from him alone basically God is the ultimate decision maker and hence choosing unnatural death by euthanasia would attract sin and hence it should not be carried out. In Islam carrying out euthanasia is a major sin which is seen as an act of killing a person²². In Islam it is said that Allah is the person who gave life and he is merciful and only he can take it²³, hence do not kill yourself²⁴. According to Hindu scriptures putting a person to death was seen as a crime against dharma in Ancient India. The Hindu belief is that life is a gift given by God and it has to be protected at any cost²⁵. According to Christianity life is considered a property of God and it should not be destroyed according to Catholic Church²⁶. According to Judaism euthanasia is also considered a sin, it is viewed as a stumbling block in front of a blind person²⁷. Jainism

²⁰ SCHLISSE LAW FIRM, <https://www.schlissellawfirm.com/end-of-life-issues/> (last visited May. 17, 2022).

²¹ BBC, <https://www.bbc.co.uk/ethics/euthanasia/overview/problems.shtml> (last visited May. 18, 2022).

²² Al-Qardhawi Y. *Should euthanasia and physician assisted suicide be legal? Living Shariah: Fatwa Bank*; 2005. <http://www.IslamOnline.net>. (last visited May. 17, 2022).

²³ QURAN.COM, <http://quran.com/22>. (last visited May. 17, 2022).

²⁴ QURAN.COM, <http://quran.com/4>. (Last visited May. 18, 2022).

²⁵ Common cause (A regd. society) v. Union of India & Anr, Writ Petition (Civil) No. 215 of 2005.

²⁶ BIBLE STUDENTS.NET, <http://www.biblestudents.net/htdb/htdb0062.htm>. (last visited May. 18, 2022).

²⁷ AISH.COM, <http://www.aish.com/ci/sam/48932772.html> (last visited May. 19, 2022).

permits euthanasia. Jain Munis starve themselves to death. But this is not looked at as suicide but it is a religious death²⁸. Another Ethical issue is that if slowly nations start to legalize this it would lead to the death of those persons who don't want to die. Hence there are billions of followers of a particular religion and legalizing euthanasia and PAS would lead to outrage, and a large section of the population might get offended.

IV. ACTIVE AND PASSIVE EUTHANASIA

Active and passive are the two types of euthanasia. Active euthanasia is a positive affirmative action while the latter type is negative. Most countries around the world have legalized passive euthanasia either through legislation or rules and regulations. Active euthanasia is killing a person while passive is just not doing the thing which is necessary for a person to live²⁹. Another important term to be defined here is Persistent Vegetative State which was coined by Jennet & Plum in 1972 and defined as a state where a person has severe brain damage but the brain is not dead, due to which coma progresses and the person will be in a state of wakefulness without detectable awareness³⁰. According to a study conducted in Kuwait in the year 2015 on active and passive euthanasia and published in the National Library of Medicine, a study was conducted on 464 physicians out of which 43.9% said that euthanasia should be legalized through the Ministry of Health under restrictions. 29.1% of the population was ready and willing to perform euthanasia. Religion was a major force opposing euthanasia. The male gender was willing to go for euthanasia³¹. 87% of the physicians in Malaysia said that a person does not have the right to end their life or even go with Physician Assisted Suicide³². Hence there are differing views according to the country's population, the dominant religion, social behaviour, and moral and ethical values. Netherland is the first country in the world which legalized euthanasia in 2001. Euthanasia should be carried out when there is no reasonable alternative available. The patient should be suffering from unremitting and unbearable suffering and pain. In the Netherlands, before decriminalizing euthanasia there were 12 years of imprisonment given to the Doctors who perform it. When Euthanasia was legalized in the Netherlands 90% of the population supported it but mostly Christians who believed it would destroy the sanctity of life protested outside the Parliament building. Every year 3000 cases of euthanasia are

²⁸ 2 SHAH N. JAINISM, THE WORLD OF CONQUERORS [(Brighton: Sussex Academic Press 1998)].

²⁹ Common cause (A regd. society) v. Union of India & Anr, Writ Petition (Civil) No. 215 of 2005.

³⁰ THE NEW ENGLAND JOURNAL OF MEDICINE, <https://www.nejm.org/doi/full/10.1056/nejm199405263302107> (last visited May. 19, 2022).

³¹ Shaikhah Abohaimed et al., *Attitudes of physicians towards different types of euthanasia in Kuwait*, NATIONAL LIBRARY OF MEDICINE (Jan. 31, 2019) <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6598031/>.

³² Shaikhah Abohaimed et al., *Attitudes of physicians towards different types of euthanasia in Kuwait*, NATIONAL LIBRARY OF MEDICINE (Jan. 31, 2019) <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6598031/>.

performed in Netherland. Some of the experts suggest that instead of going into the debate of legalizing euthanasia or PAS, the quality of palliative care should increase which will lead to less desire for euthanasia among the patients suffering³³. According to the statistics collected on death due to performing euthanasia 0.3% to 4.6% of death is caused due to it in the places where it is legalized and this number keeps on increasing, mostly it is performed on patients suffering from cancer. The data also shows that people are opting for euthanasia not to escape from the pain but due to loss of autonomy, and dignity to lead an enjoyable life, it can be inferred that mental agony or mental distress due to being idle is the dominant motivating factor for the death rate. In Belgium, 52% and in the Netherland 61% of people go with euthanasia due to loss of dignity. Out of 1,47,000 – 1,48,000 deaths in the Netherlands in the year, 2015 3.7% of people die due to euthanasia which is an increase of 4% as compared to the year 2014³⁴. It can be inferred that when people have a way to end their life artificially through legal means, already having a lot of troubles, agony etc patients will choose to end their life rather than fight for it. Legalizing euthanasia would act as deterrence for a spirit to live or continue a beautiful life. According to Worldwide Cancer Data, 18.1 million people around the world suffer from cancer³⁵. Cancer stage IV is more serious³⁶, people with this stage will feel more pain so this can lead to more deaths by choosing euthanasia³⁷. 1 person from 6 in the world in the year 2020 died from cancer³⁸.

V. RELATED CASES:

Smt. Gian Kaur v. The State of Punjab is a case where the Supreme Court of India held that euthanasia can be made lawful in India only by bringing legislation. As of now, there is no such legislation being enacted in India. In this above-mentioned case constitutionality of Sec. 309 and 306 of The Indian Penal Code of 1860 was challenged. Sec. 309 talks about an attempt to commit suicide and Sec. 306 talks about the abetment of suicide. In the case of P. Rathinam v. Union of India, it was held that Sec. 309 of IPC was violative of Article 21 of the Indian Constitution which speaks about the protection of life and personal liberty. Sec. 309 was challenged in P.Rathinam's case on being violative of Article 14 and Article 21 but the court

³³ WORLD HEALTH ORGANIZATION, <https://apps.who.int/iris/bitstream/handle/10665/268351/PMC2566446.pdf?sequence=1&isAllowed=y> (last visited May, 20, 2022).

³⁴ THE CONVERSATION, <https://theconversation.com/in-places-where-its-legal-how-many-people-are-ending-their-lives-using-euthanasia-73755> (last visited May, 20, 2022).

³⁵ WORLD CANCER RESEARCH FUND INTERNATIONAL, <https://www.wcrf.org/cancer-trends/worldwide-cancer-data/> (last visited May, 21, 2022).

³⁶ Jennifer Welsh, *What is stage 4 cancer?*, VERY WELL HEALTH (Mar. 5, 2022), <https://www.verywellhealth.com/stage-4-cancer-5092070>.

³⁷ Stephanie Langmaid, *Stages of Cancer*, WEBMD (Mar. 8, 2021) <https://www.webmd.com/cancer/cancer-stages>.

³⁸ WORLD HEALTH ORGANIZATION, <https://www.who.int/news-room/fact-sheets/detail/cancer> (last visited May, 22, 2022).

held that Sec. 309 violated only Article 21, because Article 21 includes the right to die while Sec. 309 punishes a person committing suicide. This case is relevant in the discussion of this research paper because Sec. 306 and Sec. 309 can punish a person for performing active or passive euthanasia or PAS. There were contentions in the case that a person commits suicide because he/she suffers from agony or despair and Sec. 309 punishes such person and puts him/her again in agony and the state of depression also it was contented that every fundamental right has right not to do for example article 19 has right to freedom of free speech and expression and also the freedom not to speak and because of this in P. Rathinam's case it was held it is violative of Article 21. Some people even consider provisions of law which punishes an attempt to commit suicide as monstrous and barbaric. Finally, the court in Gian Kaur's case held that the right to life under Article 21 is a natural right and all other fundamental rights follow it, it is very logical, that if there is no life then there is no question of freedom of business, right to equality, freedom of speech and hence suicide is not natural. Right to life includes to live with human dignity till life is in existence and also includes the right to dignity in the final procedures of death but it does not include the right to dignity for to end of natural life which curtails the natural life span of a person³⁹. Another very important case law related to euthanasia is the case of *Aruna Ramchandra Shanbaug v. Union of India and Ors.* Society has developed too much that a person's life can be ended for one's selfish motive like to inherit the property or out of personal grudges hence it becomes very difficult for the court to determine who should be the person to give consent for passive euthanasia. Corruption exists in the system and this has to be tackled. Here in this case the SC has laid down techniques which must be followed to decide the question of who should give consent for the withdrawal of life support and this is passive euthanasia. These techniques laid down must be followed until a law is passed by Parliament on the matter of Euthanasia. The techniques are to receive the consent for the withdrawal of the life support there should be informed consent from the parents or spouse or any other close relations. If none of them is available then consent can be obtained from a person or body of a person who acts as a next friend to the patient, it can also be from the doctor who is attending to the patient. The decision has to be made while keeping the bonafide interest of the patient. Further to withdraw the life support approval is required from the High Court.

VI. LEGAL PROVISIONS:

The Treatment of Terminally ill patients bill was introduced in the year 2016 by MP Shri Baijayant Panda. It was a bill which provided for the protection of patients and medical

³⁹ Smt. Gian Kaur v. The State of Punjab, AIR 1996 SC 946.

practitioners from criminal offences which may arise from withdrawing life-saving procedures (Passive Euthanasia) or assisting with the right of dignifying a person⁴⁰. In this bill recognition has been given to living will (Medical Power of Attorney) also called an Advance Medical Directive where a person writes his/her wishes about the medical treatment if he/she becomes incompetent and unable to communicate⁴¹. It is a direction given to the medical practitioner attending the patient to either continue or discontinue the treatment. A person above the age of 16 years according to this bill can give informed consent out of free will to the practitioner to withdraw the life-supporting services, it can be inferred that this bill recognizes the right to make decisions. In this bill, a detailed procedure to be followed in cases of euthanasia has been given. Firstly either parent, spouse, next friend, guardian, or the attending medical practitioner should go before the High Court having the jurisdiction for granting permission when the patient has given whether it may be an incompetent patient or competent patient having not given an informed decision, the informed decision has been defined in this bill under Sec.2 clause (g) which means a decision by a competent person requesting to obtain a prescription to end his/her life in a dignified and humane manner, and for deciding on this petition before the HC, it may appoint an expert committee of three persons comprising of a legal expert, a medical practitioner and an expert in moral and ethical issues. Based on the recommendations of the committee after giving its report within 1 week of its constitution the HC along with the consideration of the people about the patient such as a spouse, children etc may reject or grant permission for the holding or withdrawal of life support⁴². In the chapter on related cases of this research paper detailed analysis of case laws relating to euthanasia and offences under the Indian Penal Code has been discussed. Some Sections such as S.309 of IPC punishment to commit suicide may not be attracted if this bill is passed and given the effect of law by the Parliament. Countries such as Switzerland, Netherlands, Spain, Belgium, Luxembourg, Canada, Colombia, Australia, USA, France, New Zealand and India are the countries where euthanasia has been made legal⁴³. In some of the above-mentioned countries such as Luxembourg PAS is legal. In India in the case of *Common Cause v. Union of India*, euthanasia along with advanced medical directives has been given legal status⁴⁴. Passive euthanasia is considered morally superior to active

⁴⁰ THE TREATMENT OF TERMINALLY-ILL PATIENTS BILL, 2016 (INDIA) <http://164.100.47.4/billtexts/lbills/asintroduced/2656.pdf> (last visited May. 25, 2022).

⁴¹ Ankushsaraf, *Living will a partial way*, LEGAL SERVICES INDIA <https://www.legalserviceindia.com/legal/article-1116-living-will-a-partial-way.html>.

⁴² THE TREATMENT OF TERMINALLY-ILL PATIENTS BILL, 2016 (INDIA) <http://164.100.47.4/billtexts/lbills/asintroduced/2656.pdf> (last visited May. 25, 2022).

⁴³ THE WEEK, <https://www.theweek.co.uk/102978/countries-where-euthanasia-is-legal> (last visited May. 26, 2022).

⁴⁴ NATIONAL HUMAN RIGHTS COMMISSION INDIA, <https://nhrc.nic.in/press-release/important-judgment-supreme-court-india-1> (last visited May. 28, 2022).

euthanasia because in passive euthanasia the person is let to die while in active euthanasia is killed by either the medical practitioner or a third party⁴⁵.

VII. CONCLUSION

1. India is a country with a lot of diversity so it may be practically very difficult to legislate a law on this matter.
2. Euthanasia has various matters with it so it cannot be eliminated because the human mind is so fertile that it finds some loophole in the system.
3. Due to various views from different religions it becomes a chaotic situation to discuss the pros and cons of euthanasia in India and the in the world.
4. Legalizing euthanasia may lead to more deaths because people may feel they must die.
5. Weaker section of the society might get hugely affected by the strong class.

VIII. SUGGESTIONS

1. Euthanasia can be legalized but people must understand the pros and cons of it.
2. Person's right to choose life or end it should be recognized as done in the Netherlands.
3. There should be strict rules and regulations about euthanasia and people who try to misuse it should be given punishments like imprisonment and a hefty fine to discourage such evil activities.
4. There should be a robust committee set up to check with each case of euthanasia whether it should be granted or not.
5. There should be sufficient measures adopted by the expert committee to check up on the facts and prevent the misuse of them.
6. People should be educated about euthanasia.
7. Legal as well as medical professionals should conduct campaigns about it.

Where religious issues come in scholars of a particular religion play an important role and they should be considered while making laws.

⁴⁵ NATIONAL HUMAN RIGHTS COMMISSION INDIA, <https://nhrc.nic.in/press-release/important-judgment-supreme-court-india-1> (last visited May. 28, 2022).