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# Electricity: A Fundamental Right

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## ABSTRACT

*Fundamental rights are a group of basic rights that an individual is imperative to. These rights have been recognized by the apex court of India as requiring a high degree of protection from government encroachment. These rights have been constituted under part III (ARTICLES 12-35) of the constitution of India and guarantee civil liberties so that an individual can live peacefully and harmoniously.*

## I. WHAT ARE FUNDAMENTAL RIGHTS?

Fundamental rights are a group of basic rights that an individual is imperative to. These rights have been recognized by the apex court of India as requiring a high degree of protection from the government encroachment. These rights have been constituted under part III (ARTICLES 12-35) of the constitution of India and guarantee civil liberties so that an individual can live peacefully and harmoniously.

## II. HOW MANY FUNDAMENTAL RIGHTS DO WE HAVE?

There are total 6 fundamental right that an individual has, these are -:

- Right to EQUALITY (article 14 – 18)
- Right to FREEDOM (article 19 – 22)
- Right against EXPLOITATION (article 23 -24)
- Right to freedom of RELIGION (article 25 – 28)
- CULTURAL and EDUCATIONAL rights (article 29 – 30)
- Right to CONSTITUTIONAL REMEDIES (article 32)

## III. RIGHT TO FREEDOM

This fundamental right incorporates of article 19, 20, 21 and 22

Right to freedom is the most admired by any democratic society it includes -:

- *Freedom Of Speech*
- *Freedom Of Expression*

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- *Freedom Of Assembly Without Arms*
- *Freedom Of Association*
- *Freedom To Practice Any Profession*
- *Freedom To Reside In Any Part Of Country*

#### **IV. ARTICLE 21 RIGHT TO LIFE AND PERSONAL LIBERTY**

ARTICLE 21 that is right to life and personal liberty states that “no person shall be deprived of his life or personal liberty except according to the procedure established by the law”. This is the most important article and is also called the heart of fundamental rights.

Right to life is not just about surviving but also entails being able to live a complete life of dignity and meaning and also ensures the right to livelihood.

#### **V. SHOULD ELECTRICITY SUPPLY BE A PART OF FUNDAMENTAL RIGHT?**

Can we imagine our lives without electricity? Probably the answer is NO, because there will be no internet, no mobile phones, no generators if not these then at least the fear of darkness, we are clinging upon electricity to that extent that in coming years our cars would also be electrified due to the apprehension of, I think it’s easy enough to guess. Prime Minister Narendra Modi on 28<sup>th</sup> april set forth that every single bourg of India is now electrified and declared an historic day. The ENERGY PROGRESS REPORT that is launched by the world bank says that India has done a great job by continuously supplying electricity to their people.

#### **VI. REPORTS DO NOT ALWAYS STATE THE TRUTH**

- The government’s own data report that there are still 31 million households that are unelectrified.
- And of India’s 18,452 villages, a mere 7.3 per cent (or 1,417 villages) have 100 per cent household connectivity.

#### **VII. THE SUBHAGYA SCHEME**

This is one of the most cardinal schemes unlike the other schemes it forecasts on providing electricity connections by the end of year. The electricity connection to households include release of electricity connections by drawing a service cable from the nearest pole to the household premise, installation of energy meter, wiring for a single light point with LED bulb and a mobile charging point.

### **VIII. ELECTRICITY A PART OF FUNDAMENTAL RIGHT**

As mentioned above in article 21 that is right to life and personal liberty it includes the right of livelihood and as we know nowadays things like electricity is very pivotal to an individual speaking of which electricity is one of the most essential things to be considered. The supreme court held that electricity is an “essential commodity”, and being a part of an essential commodity makes that important for livelihood.

It's high time now for all Indian citizens to consider the supply of electricity as a part of fundamental rights.

Many economists have argued that without the supply of power people are forced to live life in poverty which also contributes to economic deprivation.

From all aspects top to bottom in our generation and our succeeding ones we are integument with electricity. It plays an important role in all sectors be it health or education, lack of electricity will hamper human development.

### **IX. THE LAST HIT**

In 2013 Justice S Manikumar in an erudite judgment ruled that lack of electricity affects education and health and is a cause of economic disparity, and consequently, inequality in society leading to poverty. In directing the Tamil Nadu Electricity board to provide power to 180 families of launderers, the court held that access to electricity should be construed as a human right. “Denial of it,” said Justice Manikumar, “would amount to violation of human rights.”

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