

Basic needs versus rights: Indian perspective

Seema Dalal

LLB, LLM., NET, University of Delhi, Haryana Judicial Services, New Delhi, Delhi, India

Abstract

In India where the endeavor of the State is towards the well-being of its subjects there is a need to understand the concept of rights and their correlation with the duties. However, there is a requirement to harmonise the need of the people to live and survive with the rights which are provided by the law so that the people are capable to exercise these rights to the fullest extent. In this paper an attempt has been made to understand the dynamics in which the rights play vis a vis the physical needs of the people.

Keywords: basic needs, freedom, rights, development, Hohfeldian

Introduction

'Basic needs' is a term which is difficult to be defined in any strict sense. It is a function of socio-political and economical milieu and is dependent on spatial and temporal factors. A substance can be termed as a basic need for a society, without which an individual living in it cannot survive, while it may be not so for another society. Defining basic needs is a question which has tickled the great minds of the eminent jurists also and they tried to answer it in their own style and in light of their own observations and experience. For some of them 'Development is a basic need'^[1], while for some others it is the provision of health, education, sexual intimacy etc., which fall under the category of basic needs^[2].

However, there cannot be a disagreement with the statement that 'basic needs' are those needs of an individual which are required to be fulfilled before that individual can assert himself or exercise his moral agency in the society of which he is a member. Consequently, fulfillment of basic needs is a sine qua non for the living of an individual with due dignity and respect in the social set up.

On the other hand, a right provides a rational basis for a justified demand. If a person has a particular right, the demand that the enjoyment of the substance of the right be socially guaranteed is justified by good reasons^[3].

Thus, comparatively it is easier to define rights than it is so far basic needs.

Bread Vs. Freedom

The traditional human society, in almost every civilized nation of the world, has been a duty based society. Be it the feudalism of the medieval Europe or the Samantvad or Zamindari system of medieval India, it were the duties which held a centre position in the society and acted as a cohesive force in the otherwise turbulent times.

It can be said that the concept of the rights is a development which had its genesis in the western world. The concept of

right was first systematically developed in Rome, which was also the first western society to develop the concept of the private realm and to insist on its relative inviolability and equality with the public realm^[3].

However, the traditional classical and the contemporary western liberal thought has usually ignored the idea of basic human needs in the glare of the flashes of the self serving concept of rights.

These traditional thoughts had no answers for the sufferings of the poor and the underprivileged, particularly those living in the colonies and the backward African and Asian nations. So very conveniently, these excluded from their studies.

It is for this reason that John Stuart Mill in his Essay on Liberty has excluded the backward nations, women and children from the right to liberty. Similarly, John Rawls in his masterpiece, the 'Theory of Justice' has confessed without any embarrassment that the "Lexical priority of liberty, after all may not apply to societies where basic wants of the individual are not fulfilled."

Thus, it is seen that the western ideology has failed to correlate the concepts of the rights and the basic needs.

Prof. Upendra Baxi in his work 'The Right to be Human'^[4] has termed this apparent conflict as between 'bread' and 'freedom' where the 'bread' symbolized the basic needs and the 'freedom' as the western theory of liberty and rights.

It is an argument, with a substantial force in it, that without the availability of the bread, the so-called freedoms whether that of the speech and assembly or of universal adult suffrage lose their significance. It is immaterial for a starving, shivering or a person dying of some ailment that the political system guarantees him that aforesaid rights. What he requires, is a guarantee that his suffering would be considered and get rid of by the state as he himself cannot do so. What he wants is an assurance that he would be taken care of by the benevolent welfare state.

Thus, it is the basic needs which are required to be fulfilled

1 Prof. Upendra Baxi
2 David Braybrook

3 Bhikhu Parekh in Upendra Baxi (ed.), the Rights to be Human 1-22 (1987)
4 Upendra Baxi (ed.), the Right to be Human (1987)

first so that the guaranteed rights can be enjoyed by the individual.

Nevertheless, the concept of rights in itself holds an important position in this inter-relation of rights and needs.

It is the right system which transforms an individual from a mere pleading organism to an entity which can make demands of others, and a right is the rational basis for a justified demand. A right can be urged, pressed or rightly demanded against other persons.

Thus, it can be said that although rights are insignificant in obscene of the fulfillment of the basic needs of an individual, still rights are necessary as they are the titled conferred upon the holder of rights by an established legal authority to demand or insist upon without embarrassment or shame, which is his due. The rights are not mere gifts or favours, motivated by love or pity, for which gratitude is the sole filling response. It is a justifiable demand which when not fulfilled can result in indignation. The rights are the tools with which the basic needs can be fulfilled.

Various Theories regarding the concept of Rights

The Hohfeldian Theory envisages right as a claim which has duty as its corrective. A right provides its holder claim which binds another person to do or omit to do something in fulfillment or violation of such claim.

In the case of an individual claim a man becomes the subject of the rights and consequently, he is the focus of the attention of the law make who legislates in furtherance of that claim. No law in violation of the rights or claims of an individual can be passed by the legislature, when the right holder or claim holder is the subject of the rights. Thus, these occurs a creation of 'state free spaces' where the state has no authority to interfere in.

On the other hand, in case of duty, there is no claim conferred upon the object of the duty. It may be a duty to help other or to give charity to others, however, an individual who indeed required that charity cannot claim that charity as a right due to him. In the language of Allen Buchanan "what is distinctive about the notion of rights is that what is mine as a matter of right is owed to or due me, or that I am entitled to it" [5].

In case of violation of a right, the right holder is subjected to a wrong and in consolidation thereof becomes entitled to compensation or restitution or at least an apology. However, in the case of the breach of a duty no such right of compensation / restitution etc. occurs to the victim of such a breach.

Thus, the basic difference between the right and duty is that the right is a claim in the nature of a title making its bearer entitled to make it. Such title is conferred upon an individual by the established legal authority. A right comes associated with the concept of exclusively, which forbids the non-right holders from accessing the right of its bearer. In addition thereto, a right not only excludes other but also requires a specific set of services from and imposed hardship on them. Thus a right is at once both a source of benefits and burdens benefitting its bearer and imposing corresponding burdens over the others [6].

The great thinker Karl Marx, when talks of basic needs, considers social solidarity as basic needs of every individual.

Basic Needs trumping over the other needs

Once the basis needs of a society or of an individual member of a society are identified then these occurs the requirements of prioritizing those basic needs among themselves.

It is essential since as per *Maslow*, there are various stages of needs which are at different stages. The needs at the next level can be fulfilled only when those at the previous level are fulfilled.

Thus, there occurs a situation where fist the prioritization and thereafter, the fulfillment of those needs take place.

Hence we see that it is only after the fulfillment of physiological needs that he thinks of the fulfillment of his socio-political needs.

It is in this context that various indices for measuring the quality of life have been developed. Thus, we have the physical quality of life index, developed by Morris B-Morris which talks of the quality of life dependant on the enjoyment of physical substances in one's life.

Prof. Morris lays stress on the points that in a society where women are educated, the physical quality life index, of that society increases.

Similarly on a progressive level the erstwhile President of India Dr. Abdul Kalam put forward the concept of National Prosperity Index on the lines of the Bhutanese Emperor's Gross Domestic Happiness Index, which stresses upon not only on physical quality of life and thus physical needs only but also upon social and political needs.

Thus, a progress in the realization of needs has taken place and now the developing societies have marched upon a stage where the fulfillment of social political needs is equally important as it is the fulfillment of the physical needs.

Basic Needs and Rights: Indian Perspective

Historically, the Indian Society has remained a society where an individual was identified with his group. The individual identity without such group was not to be seen and frowned upon. It is in this relation that the concept of castes and communities can be seen. The caste and the community have played a dominant role in an individuals and collectively, in the social life. Every individual had to follow the rules laid down by such castes and communities for its members. In lieu of this, the caste used to support the individual at the time of crisis. Thus, jointly and collectively the caste or communal group would look after the individual who required material assistance for his survival. Thus, it was a duty centered society where an individual owed its allegiance to a social group which used to look after his basic needs and collectively used to fulfill them.

However, with the colonisation of India, the western concept of an individual being treated as an island, separated from others inviolable spaces known as rights was brought over to India. Earlier it was the social groups which were the bearer of rights but now an individual was regarded as the primary bearer of the rights. It is the body of the individual which acquired the moral and political significance life, the continuation of the body and liberty, the unhindered movement of the body, became two of the highest moral

5 Allen Buchanan, 2 Social Policy and Philosophy 61-75 (1984)

6 Bhikhu Parekh in Upendra Bari (ed.), the Right to the Humane 1-22 (1987)

values. Violence with regard to the body, it committed by anyone except the state, was not permitted. Although this concept granted the abstract rights of life and liberty to the individual but no provisions were there, like they were in the ancient duty based societies, to provide critical support to a suffering individual. There was no caste, communal or social group which could look after the basic needs of an individual at times where he cannot. Everyone had to fetch for himself with the aid of rights granted to him by an established Central Legal Authority.

Post independence Situation

The modern Indian state had borrowed heavily from the western thoughts and thinkers. The 200 years of the British Rule conditioned the minds of the framers of the constitutions and that of the political class. It is for this reason that the western concept of the rights was brought as it was to the Indian Constitution without realizing the peculiar and distinctive features and problems of the Indian Masses. It was forgotten that the masses are poor and impoverished as a result of the coercive and exploitative foreign rule. The rights which were promised to them in the Constitution were futile to them as they could not exercise them because of their inherent incapacities. No rights were guaranteed to them which could empower the masses to exercise their other rights.

The right was a formal title conferred by the state, one's possession of it was not dependent on one's ability to exercise it. An Individual became the object of the rights. It could only be exercised if one had the capability to exercise it. The principle of welfare state revolved around this arbitrary and vague concept of rights which was lifted from the western doctrines.

The present discourse of rights in the Indian concept traces its origin to the 'will theory of rights' which underlies the assumption that each individual has will to do or have something. A human being is a moral agent having a set of capacities to assess the suitability of means to given ends, but also the capacity to evaluate ends. He possesses the higher order capacity to criticize, evaluate and revise his interest and to assert himself. Thus, in a society there are a number of wills which need reconciliation. It is for such reconciliation that a 'sovereign will' is required. This 'sovereign will' is the will of the state which makes the state powerful. Thus, a contradiction appears between the basic assumption that a human being is a moral agent subject to rights and that the will of a powerful state is required to reconcile the wills of the individuals making the state oversee the individual and it granted the rights to individuals making them the object of rights.

Immediately, after the independence, the policy makers tried to formulate the socio-politico-economical policies with an eye to provide basic needs to the Indian masses which had faced a long era of poverty and subjugation. Thus, the decades immediately following the independence were dominated by the government policies which centered around the development of the industrial sector with an expected trickle down effect of economist development which shall help all the masses. It was for this reason, that the first few five years plans targeted the Industrial Development as their main

objective.

However, the Indian experience had shown that the anticipated trickle down effect had not taken place and the plans have not been able to meet the basic needs of the poor and the deprived sections of the society. Over the years the disparities have widened.

For understanding the changes in development of different sections of the Indian population a development indicator which is basic need oriented was required.

The basic need approach to economic development was first discussed in 1970s and gained worldwide attention only in 1976 with the dissemination of an *International Labour Organisation Report* [7] unlike conventional growth oriented models of development, the basic need approach attempts to alleviate the worst aspects of poverty by supplying minimum welfare of standard to all persons and development progress is not conceptualized exclusively in terms of economic means physical well-being. Measure such as per capita income or its growth rate, is insensitive to distributional variations. The deficiencies in income statistics are particularly severe for drawing inferences about human welfare.

It is in this light that the concept of PQLI (Physical Quality of Life Index) was developed by Morris D. Morris in the year 1979. This measure of physical well-being was a product of social indicator research sponsored by the Overseas Development Council (Seawell *et al.* 1977). The PQLI is based upon the actual achievement of a population and not merely upon its potential as is the case with indicators like calorie consumption.

The three measures used to develop the PQLI are:-

- a. Infant mortality rate
- b. Life expectancy at age one, and
- c. Literacy for population aged 15 and above.

At these measures are functions of various social facilities and basic needs, therefore by looking at the PQLI one can easily estimate the level of availability of various facilities and basic provisions such as quality of water supplies, nutrition, environmental conditions etc. Although literacy is not a measure of well-being, but by contributing to productivity it is a valuable skill and it may reveal the extent to which the social benefits are broadly distributed to the poor and the deprived sections.

A study conducted by *Malini Karkal and Irudaya Raja* [8] proves the abysmal state of the Indian Population in regard of the provision of distribution of social indicators and basic needs. The measures of the PQLI for most of the Indian states establish the feature of the government and state policies in the provision of the basic needs and social facilities to the general population.

This is in spite of the fact that the Indian Constitution has a part fully devoted to the Fundamental Rights which are guaranteed to every citizen of India. One of such rights is the Right to Life and Liberty [9] which forbids the deprivation of

7 [Employment Growth and Basic Needs: A One World Problem [120, 1977]

8 [Progress in Provision of Basic Needs in India 1961-1981, E.P.W., February 23, 1991, p.443]

9 Art. 21, the Constitution of India.

life or personal liberty of any person except according to the procedure established by law.

It is in this light that the concept of 'Needs Vs. Rights' gains importance.

Prof. Upendra Baxi in his writing '*From Human Rights to the Right to be Human: Some Heresies*' has explained the above stated dilemma. According to him, before talking of human rights one should be concerned about the rights to be human. In other words the idea of human rights in absence of basic necessities of life is superfluous. Prof. ^[10] Baxi states "the battle for juristic formulation and refinement of conceptions of human rights is already won. Unless we shift our focus to the social, development context in which these formulations are to be operated, we would lose the war against the forces of exploitation, inequity and torture.

Similarly Hammerskjold foundation, also stress upon the fact that for the enjoyment of human rights, basic needs must be met ^[11]. The report states "Needs is a supery conception, and the conception of "Basic Needs" operates on preferred or tacit value conceptions. It is acknowledged that "needs" are as much psychological and political and material. To satisfy the latter while forgetting the former would neither be consistent with the humanistic values nor indeed possible. Thus, the guarantee of right to life and liberty as a fundamental right in the Constitution without any guarantee to basic provisions necessary to support the life is futile. A person dying of starvation and poverty cannot be said to be enjoying the right to life.

Thus, we see that there is a great dichotomy between the concepts of the needs and rights and reconciliation between the two is required.

It is in this context that the work of Prof. D. Conrad gains importance. Prof. Conrad in his article "the Human Right to Basic Necessities of Life" ^[12] explains that the connection between basic needs and rights is evident. Besides freedom of movement and bodily integrity, there appears a general right to all necessities of life.

The naturalist, John Locke, linked the right to basic necessities to the primary human right, the individual right to self preservation ^[13].

"(M)en being once born, have a right to their preservation, and consequently to meat and drink and such other things as nature affords for their subsistence"

More than 2 centuries later, Blackstone, in context of the natural liberties and rights of individuals as recognized by English Law stated ^[14]

"The law not only regards life and members, and protects every man in the enjoyment of them, but also furnished him with everything necessary for their support. For there is no man so indigent or wretched, but he may demand a supply sufficient for all the necessities of life from the more opulent part of the community, by means of the several statutes enacted for the relief of poor...."

10 Upendra Baxi (ed.), the Right to be Human 185-199 (1987)]

11 Hammerskjold Foundation, what How-Another Development (1975).

12 Conrad D., "The Human Right to Basic Necessities of Life", vol. 10 and 11, D.L.R. (1981-82) pp. 1-38.

13 2 Treaties on Government, Ch. V ("of Property") 25

14 N. Blackstone, Commentaries on Laws of England, book I, Ch. 1 (1765)

However, it is the west which has first lost right of the requirement of putting the issue of basic needs at a level par with rights.

One of the reasons for this may be that in the affluent societies no one dies from starvation involuntarily. The social welfare office takes care of the hungry and poor in the developed western nations.

But in India and other developing countries there is an acute need of providing basic needs to the masses. It is in this line that Mahatma Gandhi attributed a pivotal position to the right to basic necessities within his human rights philosophy ^[15]. "Every man has an equal right to the necessities of life even as birds and beasts have."

In another article Gandhi stated ^[16]

"In order to secure free availability of vital goods the respective means of production are to remain under the control of the masses."

Similarly the Congress Declaration of Independence of 26 Jan, 1930 which was drafted by Gandhi for the Congress working committee, as a document of a historical turning point stated –

"We believe that it is the inalienable right of the Indian people as of any other people, to have freedom and to enjoy the fruits of their toil and have the necessities of life, so that they may have full opportunities of growth."

Hence, Gandhi violated the Salt Law to stress upon the rights of the masses to the basic necessities of life salt being one of them.

Treading the abovestated thought and path dictated by it, the document of the recognition of the Human Rights globally, the Universal Declaration of Human Rights, included in it right to be minimum standard of living.

Art. 25:

"Everyone has the right to a standard of living adequate for the health and wellbeing of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of employment, sickness, disability widowhood, old age or other lack of livelihood in circumstances beyond his control."

Gradually, it is said that the right to development "Serves to express the right of all people all over the world and of every citizen to enjoy all human rights." ^[17]

Slowly and gradually the right to basic necessities is to merge in the more expensive right to development. There is a distinct danger that it will thereby lose whatever definite contour it has of its own, and will be discarded together with the flamboyant development of language, as impractical and unjustifiable is situations of real conflicts.

15 Young India, 15 Nov. 1928, 37 collective works, 412

16 Young India, 15 Nov. 1928, 37

17 Report of a conference convened by the International Commission of Jurists in the Hague in 1981, Development, Human Rights and the Rules of Law, 1981, summary of Conclusions at 223.

Prof. Conrad raised the following assumptions, in the case, if basic needs are recognized as rights:-

- a. That the state follows a pacification policy with the instruments of rights. Even though there cannot be a perfect equality, as no two persons or classes of persons stands on equal footing, yet the state gives rights to equality. Moreover, since the liberty and equality cannot be hand in hand so there occurs the intervention of the state which shall determine and distribute the liberty and equality amongst the subjects with an aim of reconciliation amongst the general individuals.
- b. for actualization of needs help and exploitation of limited resources is to be taken recourse to. However, since the resources are limited, therefore, the state has to redistribute them and it shall be the discretion of the state as to how to redistribute the resources and what mechanism of rights and duties is to be utilized for such distribution.
- c. since the needs are sociogenic and culture specific so in that event whether they, when converted into rights, should be recognized as positive rights or negative rights.
- d. in every state there must be a Rule of Law consisting of objective laws. Thus, there should be the supremacy of laws, which shall give rise to the concept of the equality. But where there is the rules of law, Rule of man cannot be taken away and consequently discretionary actions cannot be done away with. However, according to Prof. Conrad the Rule of law should be there without the Rule of Men and it should be continued with Rule of Terror. Thus, Prof. Conrad recognizes the monopoly of legislation and violence vested in the state.

In regard to the basic needs Prof. Saduraki ^[18] raised the following propositions:

- a. That there are some basic needs which are uniform everywhere and which should be fulfilled qua every person.
- b. That there are many duties present in any set up and there should be made prioritization duties. The primary of such duties must be the duty of assist those who cannot assist themselves.

The Noble Laureates, Prof. Amartya Sen of India and Prof. Yunus of Bangladesh worked on these assumptions in propounding their theories of helping the underprivileged and poor of their respective work areas.

The Supreme Court of India and the Basic Needs

Coming to the Indian Scenario, the Post emergency Supreme Court has taken the steps in the direction of enforcing the needs of the Indian Citizen with the help of the mechanism of the rights in systematic understanding it has realized that whenever a right to life has been recognized in the Constitution, this expresses a legal safeguard not only against momentary violent aggression, but also against the creeping, gradually effective encroachment on vital condition of life; conditions without which it is impossible to survive as a human being.

18 Saduraki, W. "Economic Rights and Basic Needs" in Safond, G.J.G. et al. (eds) Law Rights and Welfare State, pp 49-66

To quote Bhagwati J. ^[19] "We think that the right to life includes the right to live with human dignity and all that goes along with it, namely, the bare necessities of life such as adequate nutrition, clothing and shelter over the head and facilities for reading, writing and expressing our self in diverse forms, freely moving about and mixing and comingling with the fellow human being"

It is on these principles that concepts of Public Interest litigations (referred to as Social Action Litigation by Prof. Upendra Baxi) suo moto jurisdiction and cognizance etc. were developed.

The judiciary considered and recognized its role in the socio-political and economical set up and actively participated in the same. The judiciary recognized the rights of the underprivileged, the rights to the basic needs.

It is in furtherance of this process that the overall scheme of basic needs and their fulfillment as a matter of right was interpreted and enforced.

Thus, the right to life as envisaged under Article 21 was interpreted not merely as a mere animal existence but a life befitted for a human being, life accompanied with human dignity and free from exploitation. This right to live with human dignity enshrined in Art. 21 derives its life breath from the directive principles of State Policy and particularly clauses (e) and (f) of the Article 39 and Article 41 and 42 and at least, therefore, it must includes protection of the health and strength of the workers men and women, and of the tender age of children against abuse, opportunities and facilities for children to develop in healthy manner and in conditions of freedom and dignity, educational facilities, just and humane conditions of work and maternity relief. These are the minimum requirements which must exists in order to enable a person to live with human dignity and no state has the right to take any action which will deprive a person of enjoyment of these basic essentials ^[20].

Thus we see that through the concept of merging the Basic Needs with the rights the judiciary has tried to assert its role for the help of the suffering and destitute masses. It is through this merger and incorporation that the otherwise non-enforceable Directive Principles of State Policy ^[21] are enforced.

For some time the Supreme Court held the view that right to life in Article 21 does not include right to livelihood. However, subsequently, the court has clearly held that right to livelihood is included in the right to life "because no person can live without the means of living, that is, the means of livelihood." ^[22]

Further, upholding the right of the people in hill areas for a suitable approach road the court has held that right to life in Article 21 "embraces not only physical existence of life but also the quality of life and for residents of hilly areas, access to road is access to life itself." ^[23]

More importantly in Unnikrishnan Vs. State of Andhra

19 Francis Coralie Vs. Union Territory of Delhi, A.I.R. 1981, S.C. 746

20 Bhagwati J., in Bandhua Mukti Morcha Vs. Union of India, (1984) 3 SCC 161

21 Art. 39-51, the Constitution of India

22 Olga Tellis Vs. Bombay Municipal Corporation (1985) 3 SCC 545

23 State of H.P. vs. Umed Ram, (1986) 2 SCC 68

Pradesh ^[24] the court has recognized a fundamental right to education in the right to life under Article 21.

Thus, there is an emergence of the trend where the judiciary, in event of dereliction of its duties by the welfare state, asserts itself by recognizing the Basic needs of the masses and merging them with the right to life.

Hence, in the Indian perspective the principles of Public Interest Litigation, liberalization of locus standi and the welfare state has gradually merged the concept of basic needs with that of Rights its is on this line, that the legislations like the National Employment Guarantee Act, 2005 are passed and enforced, which guarantees the fulfillment of the basic need of employment as a matter of right.

Conclusion

A country like India, where millions are still in need of the basic necessities of life, has to take active steps to provide these bare essentials so that the people of the Indian State are in a better position to assert themselves. The experience of the past more than 60 years of the independent India makes apparent the failure of the Indian state in fulfilling the requirements of the Indian masses. The concept of the welfare state has not assured the availability of the means of survival to the poorest of the poor of the Indian nation. The independence and the concept of welfare state has benefited only a selected section of the Indian society. Similarly, the doctrine of Fundamental Rights as provided in the constitution of India has failed to fulfill the basic needs of the Indian masses. The fundamental rights, in their present form, guarantee to everyone primarily the fulfillment of the political rights. However, even to effectively exercise these fundamental rights it is essential that the masses are provided with the security for their survival otherwise it will amount to saying that the doors of a five star hotel are open to everybody. One cannot expect a starving person to demand his right to equality if he is not sure about the source of his next meal.

It is in this scenario that the concept of transforming basic needs into rights gains popularity and strength. If each basic need of a person is recognized by the law then the situation will entirely be different. The masses would not be dependent on the mercy of the state rather they shall be claiming the supply of their basic requirements from the Indian state. This will result in the improvement in the standard of living of the citizens in general. In addition thereto, this recognition shall ensure the effective participation of the masses in the process of democracy.

However, it is naïve to assume that such recognition will come automatically. The civil society has to wage a struggle at all fronts to pressurize those in power to grant and guarantee the aforesaid right to the fulfillment of the basic needs to the general masses. It is the high time that the demand for basic needs to be recognized as rights is made if we want the all inclusive growth of the Indian society. This recognition shall be instrumental in ensuring the unity and integrity of the Indian nation and in strengthening the principle of the Indian democracy.

References

1. Conrad D. The right to Basic Necessities of Life, D.L.R. 1981-82; 10(11):51-752.
2. Baxi Upendra. From Human Right to the Rights to be Human: Some Heresies in Baxi. U (ed). The Right to be Human. 1987, 185-200.
3. Karakal Malini *et al.*, Progress in Provision of Basic Needs in India 1961-1981 E.P.W. 1991, 44.
4. Sadyraju W. Economic Right and Basic Needs in Safond, G.J.G. etal (eds.), Law, right and Welfare ST atem. 49-66.
5. PUDR v. Union of India and Others.
6. Henry Shue. Basic Rights: Subsistence, Affluence and U.S Foreign Policy. 1996, 11-64 (Scnd Edition,)
7. Bhattacharya *et al.*, How Do Poor Survive E.P.W. 1991.