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From Rights to Reality: The Constitutional Promise of Basic Necessities in India

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Access to necessities such as clean drinking water, sanitation, electricity, and adequate housing is fundamental to the realisation of human dignity and social justice. While the Constitution of India does not explicitly guarantee all these necessities as fundamental rights, judicial interpretation has significantly expanded the scope of Article 21 to include conditions essential for a dignified life. Through landmark decisions such as Francis Coralie Mullin v Administrator, Union Territory of Delhi, Olga Tellis v Bombay Municipal Corporation, and People's Union for Civil Liberties (PUCL) v Union of India, the Supreme Court has recognised that the right to life extends beyond mere physical existence and encompasses access to the basic requirements of human survival and development. This article examines the constitutional and judicial framework governing necessities in India and evaluates the extent to which these guarantees are reflected in the lived experiences of citizens. By analysing contemporary examples relating to water scarcity, sanitation failures, inadequate access to electricity, and housing deprivation, the article highlights the persistent gap between constitutional promises and ground realities. It further explores the structural factors responsible for this disconnect, including poverty, administrative inefficiency, corruption, and unequal distribution of resources. Drawing upon judicial precedents, policy data, and recent socio-economic developments, the article argues that the recognition of rights alone is insufficient without effective implementation and accountability. It concludes that bridging the gap between rights and reality requires transparent governance, efficient welfare delivery mechanisms, and a stronger commitment to ensuring that constitutional guarantees translate into tangible improvements in the lives of citizens. Ultimately, the realisation of necessities remains essential to fulfilling the constitutional vision of dignity, equality, and social justice in India.

Keywords: *human dignity, necessities, socio-legal rights, constitutional law.*

INTRODUCTION

The authors have spent two days in a village while staying with one of their relatives. During their stay, they witnessed the daily struggles faced by the villagers in accessing some of the most necessary necessities of life. Electricity was available only for limited hours, and access to water remained a persistent challenge. Many residents had to travel one to two kilometres to fetch water from wells and hand pumps, as regular water supply to their homes was unavailable. However, this issue extends far beyond water and electricity. Many communities across the country continue to face difficulties in accessing adequate housing, sanitation, facilities, public transportation, and other essential services required for a dignified life. The village we visited is not an isolated example; similar conditions can be observed in numerous villages and underdeveloped regions across India.

What makes this situation particularly concerning is that it exists alongside rapid economic growth and remarkable technological advancement. India has made significant progress in various sectors and aspires to become a developed nation in the coming decades. Yet, the question remains: can development be considered truly inclusive when a significant section of the population continues to struggle for necessities essential to survive and human dignity? This article examines the gap between constitutional promises and ground realities concerning necessities in India. It explores how the Constitution, judicial interpretations, and welfare principles seek to protect these rights while assessing the extent to which these guarantees have translated into meaningful improvements in the lives of ordinary citizens.

UNDERSTANDING BASIC NECESSITIES AND HUMAN DIGNITY

As discussed in the introduction, access to necessities is closely linked to human dignity and overall development. Essential services such as clean drinking water, electricity, housing, sanitation, healthcare, education, and public transportation are not luxuries but fundamental requirements for a decent life. Among these, clean water is the most basic necessity, yet many rural and marginalised communities still lack reliable access to safe drinking water. Likewise,

electricity remains vital for education, healthcare, communication, and economic activities, though irregular supply continues to affect many areas.

Beyond water and electricity, inadequate housing, poor sanitation, and limited public services continue to impact millions of people. These challenges highlight that true development cannot be measured only by economic growth. As India aims to become a developed nation by 2047, progress must also be judged by how effectively it ensures access to necessities for all citizens. Therefore, providing these necessities is not merely a policy goal but an essential step toward achieving human dignity, equality, and social justice.

CONSTITUTIONAL FRAMEWORK: THE PROMISE ON PAPER

The Constitution of India lays the foundation for ensuring a dignified life for all citizens. Although it does not explicitly recognise rights such as the right to water or the right to electricity, it creates a constitutional framework that seeks to protect these necessities. At the heart of this framework lies Article 21¹, which guarantees the Right to Life and Personal Liberty. Over time, this provision has been interpreted broadly to include rights necessary for living with dignity, such as access to a healthy environment, shelter, and basic conditions essential for human survival.

The constitutional commitment to social welfare is further reflected in the Directive Principles of State Policy. Articles 38, 39, 41, and 47² direct the State to reduce inequalities, improve public health, and secure an adequate standard of living for its citizens. Although these principles are not directly enforceable in courts, they serve as important guidelines for governance and policymaking. Additionally, Articles 14 and 15³ promote equality and inclusive development by ensuring that all citizens receive equal protection of the law without discrimination. Together, these provisions demonstrate that the Constitution seeks not merely to protect life but also to create conditions in which every individual can live with dignity and access to necessities.

¹ Constitution of India 1950, art 21

² Constitution of India 1950, arts 38, 39, 41 and 47

³ Constitution of India 1950, arts 14-15

JUDICIAL EXPANSION OF BASIC RIGHTS

The constitutional protection of necessities has been significantly strengthened through judicial interpretation. Over the years, the Supreme Court has expanded the scope of Article 21, transforming it from a guarantee of mere survival into a right to live with dignity. Through various landmark judgments, the judiciary has recognised that a meaningful life requires access to certain necessities essential for human existence.

In *Francis Coralie Mullin v The Administrator, Union Territory of Delhi & Ors*, the Supreme Court held that the right to life includes the right to live with human dignity and encompasses the bare necessities of life, such as adequate nutrition, clothing, shelter, and opportunities for personal development and expression⁴. This judgment laid the foundation for interpreting Article 21 beyond its literal meaning.

The scope of Article 21 was further expanded in *Olga Tellis & Ors v Bombay Municipal Corporation & Ors*. While permitting the eviction of pavement dwellers, the Court recognised that the right to livelihood is an integral component of the right to life⁵. By linking socio-economic rights with fundamental rights, the judgment marked a significant step toward a more inclusive understanding of constitutional protections.

Similarly, in *People's Union for Civil Liberties (PUCL) v Union of India*, the Supreme Court strengthened the constitutional recognition of the right to food. The Court emphasised that the State cannot remain indifferent to hunger and deprivation when it possesses the means to address them⁶. This decision reinforced the idea that access to food is closely connected to the constitutional guarantee of life and dignity.

Through these and several other judgments, the judiciary has broadened the scope of Article 21 and strengthened the constitutional commitment to human dignity. By linking necessities with

⁴ Aishwarya Agrawal, 'Francis Coralie Mullin v The Administrator, Union Territory of Delhi & Ors.' (*LawBhoomi*, 05 January 2026) <<https://lawbhoomi.com/francis-coralie-mullin-v-the-administrator-union-territory-of-delhi-ors/>> accessed 22 May 2026

⁵ 'Olga Tellis & Ors v Bombay Municipal Corporation & Ors' (*Dhyeya Law*) <<https://www.dhyeyalaw.in/olga-tellis-v-bombay-municipal-corporation>> accessed 22 May 2026

⁶ 'The Landmark Right to Food Case in India: A Legal Milestone' (*TheLaw.Institute*, 13 November 2025) <<https://thelaw.institute/rural-local-self-governance/right-to-food-case-legal-milestone-india/>> accessed 22 May 2026

fundamental rights, the courts have played a crucial role in bridging the gap between constitutional promises and the everyday needs of citizens.

FROM RIGHTS TO REALITY: THE GROUND SITUATION

We have now examined the constitutional provisions and judicial interpretations that seek to protect access to necessities. It is now important to assess whether these constitutional promises have translated into reality. Despite the existence of laws, welfare schemes, and judicial safeguards, many citizens continue to struggle for resources essential for survival and a dignified life. The following examples highlight the gap between constitutional guarantees and the realities experienced by people across the country.

Water and Sanitation: Access to clean drinking water and adequate sanitation forms the foundation of a healthy and dignified life. Despite various government initiatives and welfare schemes, many communities across India continue to face severe challenges in accessing safe and reliable water supplies.

The reality of this challenge can be seen in Kheda village of Jhabua district, Madhya Pradesh. Reports revealed that despite substantial expenditure under the Jal Jeevan Mission and official claims of completed water supply schemes, many residents still lacked access to functional household water connections. Women were compelled to walk nearly a kilometre in temperatures exceeding 42°C to collect water from pits dug into a dried riverbed. Carrying pots across uneven terrain, they spent several hours each day securing water for their families. Villagers stated that pipelines had been laid years earlier, yet a regular water supply had still not reached their homes. Such conditions highlight the persistent gap between policy promises and ground realities, raising important questions about the effectiveness of implementation and the accessibility of a resource essential for human survival and dignity⁷.

The sanitation crisis in Bambolim village, Goa, further illustrates how deficiencies in basic infrastructure can directly affect public health and human dignity. Reports from the village revealed persistent sewage overflow and waterlogging that disrupted daily life and created serious hygiene concerns. Residents alleged that sewage water had entered drainage channels

⁷ Ravish Pal Singh, 'Dry taps, empty tanks and broken promises: A day in parched Madhya Pradesh district' *India Today* (05 June 2026) <<https://www.indiatoday.in/india/story/jal-jeevan-mission-jhabua-water-crisis-taps-dry-madhya-pradesh-2922241-2026-06-05>> accessed 22 May 2026

and water pipeline systems, raising fears of contamination and health risks. Despite repeated complaints, timely corrective action reportedly remained absent as responsibility was shifted among multiple departments. The incident exposed not only weaknesses in sanitation infrastructure but also shortcomings in coordination and accountability among public authorities. Such situations demonstrate that the challenge is not merely the creation of infrastructure but its effective maintenance and management, both of which are essential for ensuring safe living conditions and protecting the dignity of citizens⁸.

Electricity and Energy Access: In the modern era, electricity is no longer a luxury but a basic necessity essential for education, communication, healthcare, and economic development. Reliable access to electricity significantly improves living standards and enables individuals to participate fully in social and economic life.

Yet, barriers to electricity access continue to exist in certain regions of the country. A recent example emerged from the Kudremukh National Park area of Karnataka, where around 120 tribal families were reportedly living without regular electricity connections and continued to rely primarily on solar power for their basic needs. Reports indicated that although funds had been sanctioned for electrification, residents were still awaiting a permanent solution while administrative and regulatory obstacles remained unresolved. The situation highlights how vulnerable communities can continue to face barriers in accessing essential services despite the existence of welfare initiatives and development programmes. Such instances demonstrate that the challenge is not merely the formulation of policies but their effective implementation, ensuring that the benefits of development reach every citizen regardless of geography or social background.⁹

Housing and Shelter: Adequate housing is an essential component of a dignified life. A secure home provides protection, stability, privacy, and a sense of belonging. However, many individuals continue to face housing insecurity despite the existence of welfare schemes designed to improve living conditions.

⁸ 'Bambolim Village Faces Sewage Overflow Crisis, Officials Under Fire for Inaction' *O Heraldo* (07 June 2026) <<https://www.heraldgoa.in/goa/bambolim-village-faces-sewage-overflow-crisis-officials-under-fire-for-inaction/477599/>> accessed 22 May 2026

⁹ Vinobha KT, '120 tribal families live without electricity' *The Times of India* (24 December 2025) <<https://timesofindia.indiatimes.com/city/mangaluru/120-tribal-families-live-without-electricity/articleshow/126163984.cms>> accessed 22 May 2026

The situation in Akouna village of Madhya Pradesh's Satna district illustrates these challenges. Although official records reportedly classified many residents as beneficiaries under the Pradhan Mantri Awas Yojana (PMAY), numerous families continued to live in mud houses, thatched shelters, and temporary structures vulnerable to harsh weather conditions. Several villagers alleged that despite being approved for assistance, they either did not receive the sanctioned benefits or were removed from beneficiary lists without explanation. At the same time, allegations emerged that certain ineligible individuals had received housing benefits. The case highlights how administrative irregularities, lack of accountability, and implementation failures can prevent welfare schemes from reaching those most in need. Such instances demonstrate that access to adequate housing remains a significant challenge for many citizens and underscore the gap between policy commitments and lived realities¹⁰.

Development vs Reality: India is often celebrated as one of the fastest-growing economies in the world. Rapid technological advancements, expanding digital infrastructure, and consistent GDP growth have strengthened the country's global standing. However, behind these achievements lies a contrasting reality where millions of citizens continue to struggle for the necessities essential for a dignified life. This raises an important question: can development be considered meaningful if a significant section of the population still lacks access to clean water, reliable electricity, and adequate housing?

Access to safe drinking water remains a major concern. According to a study based on NFHS-5 (2019-21) data, only 41.7% of Indian households undertake any form of water treatment, while merely 28.3% use scientifically effective methods such as boiling, filtration, chlorination, solar disinfection, or water purifiers. This situation is particularly alarming in a country where drinking water sources in many regions are affected by contamination from arsenic, fluoride, industrial waste, untreated sewage, and agricultural runoff¹¹.

The situation is similar in the case of electricity. Although India has made remarkable progress in expanding electricity access, the benefits of development remain unevenly distributed. By

¹⁰ Anurag Dwary, 'In Reality, They Live Under Plastic, On Paper, They Own Permanent Homes' *NDTV* (21 July 2025) <<https://www.ndtv.com/india-news/madhya-pradesh-akouna-village-in-reality-they-live-under-plastic-on-paper-they-own-permanent-homes-8918941>> accessed 22 May 2026

¹¹ Amita Bhaduri, 'Piped, not protected: Why millions of Indian households still drink unsafe water' (*India Water Portal*, 04 February 2026) <<https://www.indiawaterportal.org/drinking-water/piped-not-protected-why-millions-of-indian-households-still-drink-unsafe-water>> accessed 22 May 2026

2021, electricity access among the poorest households had increased to 85%, compared to less than 1% in 1993. Yet, nearly 18% of the poorest rural households still lacked access to electricity, highlighting the persistent gap between policy achievements and ground realities¹².

Housing insecurity further reflects the unequal nature of development. Studies based on Census 2011 data reveal that homelessness continues to be a significant challenge, with nearly 53% of India's homeless population residing in urban areas. Rapid urbanisation, migration in search of employment, limited affordable housing, and widening socio-economic disparities have left many individuals without adequate shelter despite the growth of cities and infrastructure¹³.

Therefore, development cannot be measured solely through economic indicators, technological achievements, or rising GDP figures. True development must be reflected in the quality of life experienced by ordinary citizens. The vision of a developed India by 2047 can only be realised when every individual has access to safe drinking water, reliable electricity, secure housing, and other necessities. Unless growth translates into tangible improvements in people's lives, the gap between development and reality will continue to persist.

WHY DOES THE GAP PERSIST?

Despite constitutional guarantees, progressive judicial interpretations, and numerous welfare schemes, a significant gap continues to exist between rights and reality. One of the primary reasons is poverty and economic vulnerability. According to the Multidimensional Poverty Index (MPI), approximately 16.4% of India's population, around 235 million people, remains multidimensionally poor, while an additional 18.7% is vulnerable to multidimensional poverty¹⁴. For millions of citizens, access to adequate housing, clean drinking water, sanitation facilities, and reliable electricity remains a daily struggle.

Administrative inefficiency further widens this gap. Delays in implementation, bureaucratic hurdles, weak monitoring mechanisms, and a lack of accountability often prevent welfare

¹² Nileena Suresh, 'Access to electricity' (*Data For India*, 10 September 2024) <<https://www.dataforindia.com/access-to-electricity/>> accessed 22 May 2026

¹³ Atiqur Rahman et al., 'HOMELESS POPULATION IN INDIA AND ITS STATES: PATTERN AND STRUCTURAL ANALYSIS' (2025) 7(1) *Social Values and Society* (SVS) <<https://doi.org/10.26480/svs.01.2025.06.14>> accessed 22 May 2026

¹⁴ 2025 *Global Multidimensional Poverty Index (MPI)* (United Nations Development Programme, 2025)

schemes from reaching their intended beneficiaries. Consequently, many developmental initiatives exist more prominently in official records than in the everyday lives of citizens.

Corruption is another major obstacle to the realisation of basic rights. According to Transparency International's 2025 Corruption Perceptions Index, India ranks 91st out of 180 countries¹⁵. This relatively low ranking reflects persistent concerns regarding transparency, accountability, and the misuse of public resources. When funds allocated for housing, sanitation, water supply, and other welfare programmes are mismanaged or diverted, the effectiveness of such schemes is significantly reduced. Corruption not only delays development projects but also deprives deserving beneficiaries of essential services, thereby weakening public trust in governance.

Additionally, unequal resource distribution between urban and rural areas, coupled with increasing pressure on public infrastructure and a growing population, continues to deepen these challenges. Therefore, the issue is not merely the absence of laws but the failure of effective implementation. Unless governance becomes more transparent, accountable, and inclusive, the constitutional promise of a dignified life for all citizens will remain difficult to achieve.

CONCLUSION AND WAY FORWARD

The discussion throughout this article demonstrates that access to necessities is not merely a matter of welfare but a constitutional requirement for ensuring human dignity. The Constitution of India, through Fundamental Rights and Directive Principles of State Policy, provides a strong framework for protecting the essential conditions of life. Over the years, judicial interpretation has further expanded these protections by recognising rights such as access to food, shelter, livelihood, clean water, and a healthy environment as integral components of the right to life under Article 21.

However, as the ground realities examined in this article reveal, a significant gap continues to exist between constitutional promises and their actual implementation. Despite legal safeguards and numerous welfare schemes, many citizens still struggle to secure necessities such as safe drinking water, sanitation, electricity, and adequate housing. These challenges highlight persistent issues of poverty, administrative inefficiency, corruption, and unequal distribution of

¹⁵ *India Corruption Rank* (Trading Economics, 2025)

resources, which prevent the benefits of development from reaching those who need them the most.

Bridging this gap requires more than the recognition of rights on paper. It demands effective implementation of welfare programmes, transparent governance, stronger accountability mechanisms, and continuous monitoring of public institutions. Ensuring that benefits reach their intended beneficiaries is essential for transforming constitutional guarantees into lived realities.

Ultimately, the true success of constitutional governance lies not in the existence of rights alone, but in their meaningful realisation. A nation can be considered truly developed only when every individual can enjoy the necessities required for a life of dignity, equality, and opportunity. Until then, the constitutional vision of social justice and human dignity will remain an unfinished promise.