

RAJASTHAN HIGH COURT

Vimal Chaudhary

Vs.

Nagar Nigam, Jaipur

D.B. Civil Writ Petition No. 5486 of 2000
(Anil Dev Singh, C.J. & K.S. Rathore, J.)

21.08.2003

JUDGMENT

Anil Dev Singh, C.J.

1. It is a common sight that people who do not have dwelling places and are steeped in poverty and have come to the city to look for work for economic reasons, as a compulsion use roads and footpaths for easing themselves. This not only presents an ugly sight and creates un- hygienic conditions in the city, but it also compromises human dignity. It also hurts national pride. In catena of decisions, right to life has been construed widely. On a larger canvass, right to life includes everything which gives meaning to life and makes it wholesome and worth living. It means much more than survival or animal existence. Article 21 of the Constitution of India in its expanded horizon embraces medley of concepts including any aspect of life, which makes life dignified.

2. Therefore, the State must provide means to the citizens to live a life of dignity, a life worth living. Failure of the State to provide such a life negates Article 21 of the Constitution. In the circumstances, we consider it appropriate to direct the Municipal Corporation, Jaipur and the State of Rajasthan, to provide and construct toilets for the public up to 100 in number. Toilets built by the New Delhi Municipal Corporation and Municipal Corporation Delhi on BOT basis, shall serve as model for construction of toilets at the various places in the city of *Jaipur*.

3. Accordingly, we direct that adequate number of toilets be constructed at appropriate places in the city for the use of the public at large. The work should be completed within a period of three months.

4. The State and the Municipal Corporation, *Jaipur* shall file an affidavit within a fortnight, to show as to how the order has been effectuated.

5. To come up on 8.9.2003.

Petition allowed.