

## EUTHANASIA- THE POSITION IN INDIA

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*At the point when a man closes his life by his own demonstration it is called "suicide" however to end life of a man by others however on the solicitation of the expired, is called "willful extermination" or "benevolence executing". This paper looks to examine what killing is and its conceivable application in three distinct events of a living individual since very birth. In antiquated social orders of the nations like Greece and India how the act of self-obliteration was a standard, what was the demeanor towards the destruction of life of various religions like Hindu, Muslim, Christian and Sikh. Despite the fact that the reason for suicide and killing is self-annihilation however there is clear distinction between the two. Willful extermination might be characterized in five classes furthermore there are different routes for its application. These separated the assessment of sociologists in regards to willful extermination, its lawful position in India in perspective of the Constitution of India, Indian Penal Code and different laws in vogue, so additionally the position of various nations of the world are all taken for dialog. Despite the fact that the Supreme Court has effectively given its choice on this point yet at the same time a few questions emerge in our point which we have to break down deliberately. In conclusion, contentions are advanced for and against authorizing willful extermination and this article has been closed with a clear remark for sanctioning detached killing in India.*

### Introduction

*“Never to be born is best, ancient writers say; never to have drawn the breath of life, never to have looked into the eye of day; the second best’s a swift goodnight and quickly turn away.”<sup>1</sup>*

EUTHANASIA or “**mercy motivated killing**”<sup>2</sup> has remained a vigorously challenged point given its closeness to "murder" and the particular plausibility of "abuse". One may consider the act of killing to be as old as human advancement itself, with its roots immovably put in old Greek and Roman customs.<sup>3</sup> The recharged enthusiasm for the level headed discussion is activated by the catapulting propels in life-maintaining medicinal innovation.<sup>4</sup>

*“I'm not afraid of being dead. I'm just afraid of what you might have to go through to get there.”*

<sup>1</sup> Sophocles (495-406 B.C.) (As expressed in Oedipus Coloneus).

<sup>2</sup> Expression as used by Helen Silving, Euthanasia: A Study in Comparative Criminal Law, 103 U. PENN. L. REV. 350, 351 (2003).

<sup>3</sup> See ROBERT ORFALI, DEATH WITH DIGNITY: THE CASE FOR LEGALIZING PHYSICIAN-ASSISTED DYING AND EUTHANASIA 5 (2011).

<sup>4</sup> Deepak Gupta, Sushma Bhatnagar & Seema Mishra, Euthanasia: Issues Implied Within, 4 THE INTERNET JOURNAL OF PAIN, SYMPTOM CONTROL AND PALLIATIVE CARE (2006).

This quote gives us a reasonable thought regarding the way that occasionally individuals with terminal disease might rather want to grasp demise "gently" than sticking on to life loaded with recalcitrant torment and endurance.

Euthanasia is described as the deliberate and **intentional killing** of a person for the benefit of that person in order to relieve him from pain and suffering. The term 'Euthanasia' is derived from the Greek words which literally means "good death" (Eu= Good; Thanatos=Death)

According to **Oxford** English dictionary, Euthanasia means, 'the painless killing of a patient suffering from an incurable and painful disease or a person who is in irreversible coma.'<sup>5</sup>

### Historical Background

In antiquated Greece and Rome,<sup>6</sup> willful extermination was a typical practice with numerous inclining toward intentional demise over interminable distress. This across the board practice was tested by the minority of physicians who were a piece of the Hippocratic School and had sworn "never [to] give a destructive medication to anyone if requested, nor ... make a recommendation to this impact".<sup>7</sup> The climb of Christianity, with its view that man's life was a trust from God, fortified the Hippocratic position on willful extermination/euthanasia and prompted a finish of steady restriction to killing among doctors.<sup>8</sup> Willful extermination supporters picked up point of preference in the nineteenth century with the departure of the utilization of anesthesia.<sup>9</sup> In 1870 came Samuel Williams<sup>10</sup> proposition to utilize soporifics and morphine to deliberately put a conclusion to a patient's life. Accordingly, in the 1890s, the killing level headed discussion blasted to reach past the restorative calling and to incorporate legal counselors and social researchers.<sup>11</sup> The most eminent occasion happened in 1906 with the presentation of the Ohio Bill<sup>12</sup> in the United States to sanction killing, which was at last vanquished. Two Parliamentary

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<sup>5</sup> Euthanasia. Oxford Dictionaries Online. Available at: <http://oxforddictionaries.com/definition/english/euthanasia>. Accessed Dec 15, 2012.

<sup>6</sup> RICHARD SCHULZ, THE ENCYCLOPEDIA OF AGING 392 (2006).

<sup>7</sup> Ezekiel J. Emanuel, The History of Euthanasia Debates in the United States and Britain, 121 ANNALS OF INTERNAL MEDICINE 793, 800 (1994).

<sup>8</sup> Emanuel, *supra* note 13, at 795.

<sup>9</sup> SHAI J. LAVI, THE MODERN ART OF DYING: A HISTORY OF EUTHANASIA IN THE US 31(2007).

<sup>10</sup> Euthanasia: Is It Murder?, <http://www.helium.com/items/156337-euthanasia-is-it-murder> (last visited Apr. 21, 2011).

<sup>11</sup> IAN DOWBIGGN, A MERCIFUL END: THE EUTHANASIA MOVEMENT IN MODERN AMERICA 21(2003).

<sup>12</sup> 9 LISA YOUNT, PHYSICIAN ASSISTED SUICIDE AND EUTHANASIA 9 (2000).

Bills were presented in Britain in 1936<sup>13</sup> and in this manner for a moment time in 1969.<sup>14</sup> Both the Bills did not discover support before the House of the Lords, finding broad feedback for giving insufficient shields to the patients, and were at last crushed.

### 1. Concept of Euthanasia in India

The significance of willful extermination in India is "flexibility to leave," which allowed the sick and hopeless to end their lives. When one methodologies the theme of death in the established Indian connection, one experiences three fundamental sorts of death: characteristic, unnatural (being killed), and stubborn (slaughtering oneself). With reference to regular passing we find that there was a solid Brahmanical Hindu prescription to carry on a hundred years or if nothing else to the end of the normal life range. Other than common passing and unnatural savage demise, there additionally built up an acknowledgment of a few types of obstinate demise. This classification of obstinate passing included three unique sorts: suicide, deliberate demise and religious self-willed.

Suicide, which was disallowed, was obstinate demise provoked by enthusiasm, melancholy, or wild situation. Deliberate demise, discovered for the most part in the surroundings of the warriors in old times, was an approach to dodge disaster, as when a warrior maintained a strategic distance from catch and a lady kept away from assault or subjection by a vanquisher through self-willed death. It was a substitute for gallant passing in fight that brought about paradise and an approach to permit quiet progression to the throne. Self-willed death was firmly related both truly and reasonably to brave. It was painstakingly recognized from suicide, that is, enthusiastic, stubborn demise for reasons neither chivalrous nor religious.

### 2. Ethical, Religious Values and Practices

Vaidya's vow, which is dated 1500 BC, taken by Ayurveda doctors requires doctors not to eat meat, drink or submit infidelity. Vaidya's vow implores doctors not to hurt their patients and be exclusively dedicated to their consideration regardless of the fact that this puts their lives in threat. Most religions dislike willful extermination. Religious individuals allude to the sacredness of life. God gives individuals life; so just God has the privilege to take it away. Roman Catholic Church views willful extermination as ethically off-base. Muslims are against killing as they trust that human life is consecrated in light of the fact that it is given by Allah. Sikhs have high regard forever - an endowment of God and enduring is a part of the operation of Karma. Buddhism considers suicide a shocking demonstration. Buddhism places extraordinary weight on no-damage (Ahimsa) and on maintaining a strategic distance from the closure of life. The way life closes profoundly affects the way the new life will start as death is a move and the perished individual will be reawakened to

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<sup>13</sup> See generally Yale Kamisar, Some Non-Religious Views against Proposed "Mercy Killing" Legislation, 42 MINNESOTA L. REV. 969, 1016 (1958).

<sup>14</sup> W. B. Fye, Active Euthanasia: An Historical Survey of its Conceptual Origins and Introduction into Medical Thought, 52 BULL. HIST. MED. 492 (1978).

another life whose quality will be directed by his Karma. Most Hindus would say that a specialist ought not to acknowledge a patient's solicitation for killing as the outcome will harm the karma of both the specialist and the patient; others trust willful extermination ruptures the instructing of ahimsa yet some say by consummation an agonizing life, a man is playing out a decent deed. A few Eastern religions trust that we live numerous lives and the nature of every life is set by the way we experienced our past lives. Enduring is a piece of good constrain of the universe and by stopping it, a man meddles with their advancement towards extreme freedom. Hindus have faith in the rebirth of the spirit (Atman) through numerous lives - a bit much all human—extreme go for freedom (Moksha). In India, intentional willful extermination was and maybe is, in vogue for extremely matured and weak especially when they stop to be beneficial and feel they are a weight to others in the public eye. They quit drinking water and eating sustenance or vanished into the forested areas or suffocated themselves in water of waterways. They considered that it is not a transgression to end one's life under such circumstances. (Parameshvara V. **The subject of killing**; The Hindu, ninth July 2001). There is a Jaina ethic of intentional demise through fasting for occurrence. Prayopavesha or fasting to death is an adequate path for a Hindu to end his life in specific circumstances. It is unique in relation to suicide. Prayopavesha is just for individuals who are satisfied, who have no craving or desire left and no obligations staying in their life. It is peaceful and utilizes normal means not at all like the suddenness of suicide. Prayopavesha is a slow procedure. Conditions set down for prayopravesha are:

- (1) Inability to perform ordinary real cleaning,
- (2) Death seems inescapable or the life's delights are nil,
- (3) Decision is openly proclaimed,
- (4) The activity must be done under group control.

### 3. Active Euthanasia

At the point when a man straightforwardly and intentionally accomplishes something which results in the demise of patient. Here particular strides/strategies are embraced (by the outsider) like the administration of a lethal drug. This is a crime in India (and in many parts of the world) under the Indian Penal Code section 302 or 304.<sup>15</sup> There are nations which have passed enactment allowing helped suicide and dynamic killing/active euthanasia. The contrasts between them are in the previous, tolerant himself regulates deadly prescriptions and in the later specialist or some other individual does it. In Netherlands, willful extermination is authorized by the entry of "End of Life on Request and Assisted Suicide (Review Procedures) Act" 2002 giving all around characterized rules to the same. Belgium was the second country to stand firm in this heading.<sup>16</sup>

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<sup>15</sup> The Indian Penal Code 1860 (Ind) s 302 & 304

<sup>16</sup> Rietjens JA, van der Maas PJ, Onwuteaka-Philipsen BD, van Delden JJ, van der Heide A. Two Decades of Research on Euthanasia from the Netherlands. What Have We Learnt and What Questions Remain?. *J Bioeth Inq* 2009;6(3):271–283.

#### 4. Passive Euthanasia

It involves withholding of medical treatment or withdrawal from life support system for continuance of life (like removing the heart– lung machine from a patient in coma). Hence in passive euthanasia death is brought about by an act of omission.

**Passive euthanasia is legal in India.**<sup>17</sup> On 7 March 2011 the Supreme Court of India legalized passive euthanasia by means of the withdrawal of life support to patients in a permanent vegetative state. The decision was made as part of the verdict in a case involving **Aruna Shanbaug**, who has been in a vegetative state for 37 years at King Edward Memorial Hospital.

In March 2011, the Supreme Court of India, passed a notable judgment-law allowing Passive Euthanasia in the nation. This took after Pinky Virani's request to the most astounding court in December 2009 under the Constitutional procurement of "Next Friend". It's a point of interest law which puts the force of decision in the hands of the person, over government, restorative or religious control which sees all affliction as "fate". The Supreme Court indicated two irreversible conditions to allow Passive Euthanasia Law in its 2011 Law:

(I) the brain-dead for whom the ventilator can be switched off

(II) Those in a **Persistent Vegetative State (PVS)** for whom the feed can be tapered out and pain-managing palliatives be added, according to laid-down international specifications.

The same judgment-law additionally requested the scrapping of 309, the code which punishes the individuals who survive suicide-attempts. In December 2014, administration of India announced its aim to do as such.

Furthermore, on December 23, 2014, Government of India embraced and re-accepted the Passive Euthanasia judgment-law in a Press Release, in the wake of expressing in the Rajya Sabha as takes after: that The Hon'ble Supreme Court of India in its judgment dated 7.3.2011 [WP (Criminal) No. 115 of 2009], while rejecting the request for benevolence executing in a specific case, set down complete rules to process cases identifying with latent willful extermination. From there on, the matter of leniency murdering was inspected in counsel with the Ministry of Law and Justice and it has been chosen that since the Hon'ble Supreme Court has effectively set out the rules, these ought to be taken after and regarded as law in such cases. At present, there is no proposition to institute enactment on this subject and the judgment of the Honble Supreme Court is official on all.

The high court rejected dynamic killing by method for deadly infusion. Without a law directing killing in India, the court expressed that its choice turns into the rule that

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<sup>17</sup> "India joins select nations in legalizing "passive euthanasia"". The Hindu. 7 March 2011. Retrieved 8 March 2011.

everyone must follow until the Indian parliament establishes an appropriate law.<sup>18</sup> Dynamic willful extermination, including the organization of deadly mixes with the end goal of closure life, is still unlawful in India, and in many nations.<sup>19</sup>

### 5. Voluntary & Non- Voluntary Euthanasia

Euthanasia can be further classified as 'voluntary' where euthanasia is carried out at the request of the patient and 'non-voluntary' where the person is unable to ask for euthanasia (perhaps because he is unconscious or otherwise unable to communicate), or to make a meaningful choice between living and dying and a surrogate person takes the decision on his behalf. Legally speaking **voluntary euthanasia is illegal** as it can be interpreted as attempt to commit suicide which is *punishable under Indian Penal Code section 309*<sup>20</sup>. The same was advocated by the judgment from the Constitution Bench of the Apex Court in the year 1996 in **Gian Kaur vs. State of Punjab** where it stated that the right to life guaranteed by Article 21 of the Constitution does not include the right to die.<sup>21</sup>

Notwithstanding these legal predicaments, passive euthanasia is not illegal in most parts of the world including India; provided certain standard safeguards are present as demonstrated by Supreme Court in Aruna Shanbaug case.

To put things into right perspective let us ask ourselves a simple question, what is the need of Euthanasia? Before the industrial and scientific revolution, the scientists had not invented the artificial ways of keeping a terminally ill patient alive, like ventilators, heart lung machines, artificial feeding, etc. Such patients would have naturally died during the ordinary course of nature. With the scientific revolution, there was better and in-depth understanding of the human body. Simultaneously there was advent of new technology and machines, through which it is possible to prolong the life. Even though the patients are kept alive, often they will be in extreme physical pain and suffering (*emotional, social and financial*). At this stage let's reiterate that these advanced intensive care procedures which I am referring here, will by no means cure/control the disease, but it will only prolong the agony as well as existence of terminally ill patients.

Next logical question will be when can we classify a patient as terminally ill? According to **The Medical Treatment of Terminally ill patients (Protection of Patients and Medical Practitioners) Bill 2006**, 'terminal illness' means –

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<sup>18</sup> "Supreme Court disallows friend's plea for mercy killing of vegetative Aruna". The Hindu. 7 March 2011. Retrieved 7 March 2011.

<sup>19</sup> "India's Supreme Court lays out euthanasia guidelines". LA Times. 8 March 2011. Retrieved 8 March 2011.

<sup>20</sup> . The Indian Penal Code 1860 (Ind) s 309.

<sup>21</sup> Smt. Gian Kaur vs The State of Punjab (1996) SCC (2) 648.

(i) such illness, injury or degeneration of physical or mental condition which is causing extreme pain and suffering to the patients and which, according to reasonable medical opinion, will inevitably cause the untimely death of the patient concerned, or

(ii) Which has caused a '**persistent and irreversible vegetative condition**' under which no meaningful existence of life is possible for the patient. Thus according to it, the patient must be suffering some ailment causing extreme pain and suffering, which according to equitable and unbiased medical opinion, will lead to his death sooner or later. Second scenario is when the patient has slipped into Irreversible Permanent Vegetative State. These patients without active lifesaving mechanisms or life prolonging procedures will die a natural death. Thus one would like to ask would it be reasonable to simply keep the patient alive if he is suffering from intractable pain, psychological and emotional distress just for the sake of keeping him alive.

If we widen the ambit of discussion, can we ignore the impact on his family/friends? What about their socio economic problems? Their emotional sufferings? And in a place like India where most of its citizens meet their health expenses from their own pockets, continuing such expensive treatments results in considerable financial burden on poor households, often pushing them deeper into poverty. Even if the patient is having medical insurance it is usually inadequate. Poignantly our government health sector spending is perilously inadequate and is over burdened by huge population putting strain on the limited government resources.

**The WHO Report** mentioned that in India about 87% of total health expenditure is from private spending, out of this, 84.6% is out-of-pocket expenditure.

*The World Bank in its annual report in the year 2002 came up with some other startling observations that more than 40% individuals who are hospitalized in India in a year borrow money or sell assets to cover the cost of health care as well as hospitalized Indians spend more than half of their total annual expenditure on health care<sup>16</sup>. Thus one cannot disagree from the fact that there is genuine need for Passive Euthanasia with definitive, unbiased protocols and safeguards.*

## 6. Euthanasia & Suicide

Suicide and willful extermination/euthanasia can't be dealt with as one and the same thing. They are two distinct acts. Accordingly, we might need to make a refinement amongst "willful extermination" and "suicide." Suicide as said in Oxford Dictionary implies the demonstration of murdering yourself purposely. Consequently, suicide could be termed as the purposeful end of one's life without anyone else's input impelled means for different reasons, for example, disappointment in adoration, disappointment in examinations or in landing a decent position, yet generally it is because of melancholy. Willful extermination has not been characterized in the religious books but rather since it is near idea of suicide, along these lines it can be assumed that it is restricted by all religions. In Indian law goal is the premise for punitive risk. A demonstration is not criminal act in the event that it is carried out or excluded without the expectation and law of wrongdoings in India depends

on the well-known Roman saying, "*Actus non facit reum nisi men sit rea.*" Now applying the above saying in instances of willful extermination one may reason that since the casualty has given the consent to bite the dust consequently, the charged is not at risk for any offense. However, does giving an assent for executing a man exonerate the wrongdoer from his criminal obligation is essential inquiry. In the event that response to this inquiry is in agreed then willful extermination is not an offense. Be that as it may, the Indian law is sure about this point. One may contend that giving the assent acquits a man from obligation or he may argue the protection of "*volenti non fit injuria.*" Law identifying with assent as contained in Indian Penal Code is exceptionally comprehensive and leaves no vagueness to clarify it. Section 87 of the Indian Penal Code plainly sets out that assent can't be argued as a protection on the off chance that where the consent is given to bring about death or intolerable hurt. The Bombay High Court in **Maruti Shripati Dubal** case has endeavored to make a refinement amongst suicide and willful extermination or kindness murdering. As per the court the suicide by it's exceptionally help from others. In any case, killing means the intercession of others human organization to end the life. Kindness executing along these lines can't be considered in the same balance as on suicide. Leniency slaughtering is only a manslaughter, whatever is the condition in which it is conferred. In another case the Bombay High Court additionally watched that suicide by it's exceptionally nature is a demonstration of self-murdering or self-obliteration, a demonstration of ending one's own demonstration and without the guide and help of whatever other human office. Willful extermination or leniency murdering then again implies and infers the intercession of other human organization to end the life. Benevolence slaughtering is along these lines not suicide. The two ideas are both truly and lawfully unmistakable. Willful extermination or leniency murdering is only manslaughter whatever the circumstances in which it is influenced.

Our Supreme Court in **Gian Kaur v. Condition of Punjab**, plainly held that willful extermination and helped suicide are not legitimate in our nation. The court, in any case, alluded to the standards set around the House of Lords in Airedale case, where the House of Lords acknowledged that withdrawal of life supporting frameworks on the premise of educated therapeutic feeling, would be legitimate in light of the fact that such withdrawal would just permit the patient who is past recuperation to bite the dust a typical demise, where there is no more any obligation to draw out life.

## 7. Legal Aspects of Euthanasia in India

The legitimate position of India can't and ought not to be considered in seclusion. India has drawn its constitution from the constitutions of different nations and the courts have over and over alluded to different remote choices. In India, willful extermination is without a doubt unlawful. Since in instances of willful extermination or benevolence murdering there is an aim with respect to the specialist to execute the patient, such cases would unmistakably fall under provision first of Section 300 of the Indian Penal Code, 1860. Be that as it may, as in such cases there is the substantial assent of the perished Exception 5 to the said Section would be pulled in and the specialist or leniency executioner would be



culpable under Section 304 for at fault manslaughter not adding up to kill. Yet, it is just instances of intentional killing (where the patient agrees to death) that would pull in Exception 5 to Section 300. Instances of non-intentional and automatic willful extermination would be struck by stipulation one to Section 92 of the IPC and in this way be rendered illicit. The law in India is likewise clear on the part of helped suicide. Right to suicide is not an accessible "right" in India – it is culpable under the India Penal Code, 1860. Procurement of rebuffing suicide is contained in areas 305 (Abetment of suicide of youngster or crazy individual), 306 (Abetment of suicide) and 309 (Attempt to submit suicide) of the said Code. Area 309, IPC has been conveyed under the scanner as to its dependability. Right to life is an imperative right revered in Constitution of India. Article 21 ensures the privilege to life in India. It is contended that the privilege to life under Article 21 incorporates the privilege to bite the dust. Accordingly the kindness executing is the legitimate right of a man. After the choice of a five judge seat of the Supreme Court in *Gian Kaur v. Condition of Punjab* it is all around settled that the "privilege to life" ensured by Article 21 of the Constitution does exclude the "privilege to bite the dust". The Court held that Article 21 is a procurement ensuring "security of life and individual freedom" and by no stretch of the creative energy can eradication of life be perused into it. In existing administration under the Indian Medical Council Act, 1956 additionally by chance manages the current issue. Under segment 20A read with area 33(m) of the said Act, the Medical Council of India may endorse the models of expert behavior and decorum and a code of morals for therapeutic specialists. Practicing these forces, the Medical Council of India has revised the code of therapeutic morals for medicinal experts. There under the demonstration of killing has been delegated dishonest with the exception of in situations where the life emotionally supportive network is utilized just to proceed with the cardio-aspiratory activities of the body. In such cases, subject to the accreditation by the term of specialists, life emotionally supportive network might be expelled.

In *Gian Kaur's* case section 309 of Indian Penal Code has been held to be intrinsically substantial however the time has come when it ought to be erased by Parliament as it has gotten to be chronologically erroneous. A man endeavors suicide in a despondency, and consequently he needs assistance, as opposed to discipline. **The Delhi High Court in State v. Sanjay Kumar Bhatia**<sup>22</sup>, in managing a case under section 309 of IPC watched that section 309 of I.P.C. has no avocation to proceed stay on the statute book. The Bombay High Court in **Maruti Shripati Dubal v. State of Maharashtra**<sup>23</sup> analyzed the protected legitimacy of segment 309 and held that the segment is violative of Article 14 and in addition Article 21 of the Constitution. The Section was held to be oppressive in nature furthermore discretionary and abused correspondence ensured by Article 14. Article 21 was translated to incorporate the privilege to bite the dust or to take away one's life. Therefore it was held to be violative of Article 21.

## 8. Should Euthanasia be Legalized in India?

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<sup>22</sup> 1985 Cri.L.J 931 (Del.).

<sup>23</sup> 1987 Cri.L.J 743 (Bom.)

In India euthanasia is undoubtedly illegal as in cases of euthanasia there is an intention on the part of the doctor to kill the patient. Euthanasia or mercy killing is nothing but homicide whatever the circumstances in which it is affected. Assisted suicide which amounts to abetment of suicide is an offence expressively punishable. However, following legalization of euthanasia in Holland there has been extensive public debate and coverage by mass media on the issue of euthanasia in India. A large number of people expressed their views and among them quite a few were, in favor of euthanasia. In response to an opinion poll conducted by Doctor NDTV on the topic "Should euthanasia (mercy killing) be legalized In India?" 67% said 'Yes' and 33% 'No'. In Indian subcontinent, culture and faith are interwoven and many moral decisions are influenced by a particular culture. The issue of euthanasia first hit the headlines in recent past when a mathematics teacher in Lucknow, terminally ill, had his family to submit petition the President of India in 2001 seeking to end his life. (The Times of India 1st August 2006). "Two cases of Indian courts turning down requests of the patients to die were reported in the year 2001. The Patna High Court dismissed Tarakeshwar Chandravanshi's plea seeking mercy killing to his 25 year old wife Kanchan who had been comatose for 16 months. Kerala High Court said 'No' to the plea of BK Pillai who had a disabling illness, to die (The Hindu; 25th November 2005). Ostracised AIDS couple pleaded for euthanasia - (The Time of India; 12th August 2007). Ramgarh (UP) suffering from AIDS has asked the Country's President to allow them and their daughter to die through euthanasia as they were being harassed in their village. "We are tired of going to the administration. That is why we have sent a plea to the President to grant the entire family euthanasia", Pandey who has sold a quarter of his farm land for treatment, said. "A 79 years old freelance journalist has petitioned the Rajasthan High Court seeking permission for euthanasia, saying he wants to die with dignity"

— (RxPE NEWS – 28th April 2007)

## 9. Views of the Government of India

A) A genuine political open deliberation about willful extermination has started in India after a Federal Law Commission prescribed enactment to permit benevolence murdering. "We are investigating the suggestions. The proposition has been sent to Health Ministry for their sentiment" HR Bharadwaj, the Federal Law Minister.

B) Government has no arrangements to legitimize willful extermination: (The Times of India; first Aug, 2006). "Notwithstanding solid requests from various corners for willful extermination, union government on Monday said it had no arrangements to give lawful status to what is prevalently known as 'leniency killing'.

Essentially, it pummeled a full stop on future hypothesis saying that it would not consider any such application. Clergyman of State for Law and Justice K. Venkatapathy told RS (Rajya Sabha), Government is not considering to give legitimate status to willful extermination; till date law has not allowed and utilization of the same can't be entertained."