

Empowering Lives: Exercising the Right to Settle, a Fundamental Freedom under Article 19"

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INTRODUCTION

The Indian Constitution does not expressly list the right to settle in any area of India as a basic right. The freedom to settle wherever in India is indirectly protected by the Constitution's fundamental rights and protections. The right to move freely throughout Indian territory is guaranteed by Article 19(1)(d) of the Indian Constitution. This includes the freedom to live and establish oneself wherever in India.

Article 15 of the Constitution forbids discrimination based on racial, ethnic, caste, sexual, or geographic origins. This implies that every Indian citizen gets the same chance to relocate without experiencing prejudice wherever in the nation. Right to Life and Personal Liberty: According to Article 21 of the Constitution, no one may be deprived of their life or personal liberty until doing so in accordance with the legal process. This might be taken to mean that a person has the freedom to live wherever they choose in the nation.¹

Citizenship Provisions: The Constitution and numerous legislations pertaining to citizenship in India set forth the requirements for becoming an Indian citizen. Indian nationals are free to live and establish themselves wherever in the nation. The ability of Indian citizens to live wherever in the country is protected by these principles, however there are some limitations on immigration and residency for non-citizens, such as foreign nationals, which are governed by particular laws and policies. In some circumstances, concerns pertaining to domicile and state-specific laws may also be relevant. To maintain law and order, safeguard the interests of the state, and guarantee the

¹ Suresh Kumar Soni (ed.), Human Rights Concept. Issues. Emerging Problems 123 (Deep and Deep Publications, New Delhi, 2007).

protection and security of citizens, there are a few limitations and exceptions to this fundamental right. Among the main exceptions are:

While Article 19(1)(e) provides the freedom to settle wherever in India, it is nonetheless subject to the state's reasonable constraints. These limitations may be put in place for the sake of India's sovereignty and integrity, the nation's security, good ties with other nations, public order, morality, or decency.

The Constitution makes unique provisions for some regions, like Jammu and Kashmir, which was given its own set of laws and autonomy under Article 370. However, as of my most recent information update in September 2021, Article 370 had been repealed and Jammu and Kashmir's unique status had been revoked. ILP: Arunachal Pradesh, Nagaland, and Mizoram are some of the states that require ILPs in order for non-residents to come and live there. To preserve these states' demographic and cultural diversity, this is done.

Scheduled Areas: The administration and supervision of scheduled areas and scheduled tribes in different states are covered by the Fifth Schedule of the Indian Constitution. To protect the rights and interests of these tribal populations, specific limitations and rules might be in place. **Laws Concerning Land and Property:** To safeguard the interests of regional farmers and avoid the concentration of land in the hands of outsiders, several states have laws that ban non-residents from purchasing land or property, particularly agricultural land. **Citizenship Laws** A person's citizenship status affects their ability to settle in India. When it comes to relocating to India, non-citizens might not have the same privileges as Indian nationals.²

HISTORICAL PERSPECTIVE

2.1 EARLY LEGAL AND CONSTITUTIONAL PROVISIONS RELATED TO THE RIGHT TO SETTLE

Several legislation and constitutions were in place to restrict the population of India before gaining independence in 1947 from British colonial rule. The majority of these statutes were enacted by the British to advance colonial objectives. People from the British Empire and other European countries were able to go to India more easily after the passage of the Charter Act in 1833. It asserted that all British subjects, regardless of where they were born, had the legal right to reside

² Dr. S. K Kapoor, Human Rights under International and Indian Law 1 (Central Law Agency, 6th edn., 2014).

and possess property in India. This allowed the British to establish colonies and establish a foothold in India.

The terms of entry to India are laid down in the Indian Immigration Act of 1883. Protecting British economic interests and British political power, it allowed the British government to regulate who could enter and remain in India. The Indian Immigration Act of 1908 put into law the prevailing regulations at the time. If you are not an Indian citizen, you may need a special visa to enter India. The British government put restrictions on travel to India to protect British business interests. The Constitution of India, adopted in 1950 The law addressed matters of citizenship and the ability to travel, but its primary focus was on the administration of India. The Indian Constitution that came after it, however, expanded the law considerably. The British colonial government's intentions and ambitions greatly influenced the development of India's legal and constitutional protections for the freedom to settle. In the wake of India's independence in 1947, a new constitution was ratified, significantly increasing and altering citizens' rights, responsibilities, and eligibility to remain in the country. The new constitution is still in effect today after it was passed on January 26, 1950.³

2.2. THE IMPACT OF BRITISH COLONIAL POLICIES ON MIGRATION AND SETTLEMENT IN INDIA

During the late 19th and early 20th centuries, hundreds of thousands of indentured slaves were pushed to leave India in order to find work on plantations and farms located in various British colonies. This was a direct consequence of the policies and practices of British colonial power. This migration occurred in the latter half of the 19th century and the early part of the 20th century. These temporary workers were of critical importance to the financial success of plantations in the South Pacific, Southeast Asia, and the Caribbean. A large part of these migrations was either compelled or encouraged by behaviors that gave rise to serious ethical dilemmas. These actions gave rise to a variety of different problems. In spite of the widespread exploitation of Indian laborers, this also made it easier for Indian culture to expand, particularly in the culinary arts, the performing arts, and the visual arts. This turned out to be a fortunate outcome as a result of the circumstances. This was especially true in reference to the situation that had occurred previously. In 1947, the nation of India was split into the countries of Pakistan and India on the basis of religious lines as a direct result of actions taken by the administration of the British colonial power.

³ Vanisree Ramanathan, Media, Law and Human Rights in India: Unequal Partners 4, *Journal of International Academic Research for Multidisciplinary*, 228-243 (2016).

These actions were carried out within the context of the partitioning of India. This event happened somewhere in India. After this schism, there was a significant movement of individuals, in addition to an increase in acts of violence between the various theological communities. In the course of their respective histories, both countries went through demographic shifts, as well as the development of new styles of human settlements, which led to the establishment of new forms of social structures. All of these shifts took place at the same time.⁴

Despite the fact that British attitudes towards racial and ethnic residential segregation have evolved over the course of history, historically speaking, the British government has supported such policies in densely populated urban areas when it comes to the distribution of housing. Despite the fact that people's perspectives have altered, this continues to be the situation. Because of this separation, there would be an impact on the economic and social fabric of India's greatest cities that would be impossible to repair.

2.3. POST-INDEPENDENCE DEVELOPMENTS LEADING TO THE RECOGNITION OF THIS RIGHT TO SETTLE ANYWHERE IN INDIA

A new constitution was ratified by the people of India on January 26, 1950, following the country's attainment of independence in 1947. The basic wording of the document ensures that every citizen of India has the right to live anywhere they like within the country's borders. Within the boundaries of the republic, citizens were at liberty to locate their homes wherever they chose. Article 19(1)(d) of the Constitution of India guarantees citizens the right to live and work wherever in India, as well as the freedom to travel across the entirety of the nation. When India gained its independence from British rule, the country did away with its national passport system. This repeal provided yet another illustration of the freedom of movement and residence that Indian people are entitled to. The Constitution of India provides for the automatic granting of citizenship to everyone who can prove Indian ancestry, regardless of where in the world they were born. As a result of India's "single citizenship" policy, all citizens are afforded the same legal rights and safeguards as one another. Land reforms were implemented by the governments of many of India's state governments in order to equalize land ownership and do away with feudal systems. As a result of these shifts, persons who were previously excluded from society and who lacked access to land are now able to live in and farm areas that were once off-limits to them. In conclusion, the migration and

⁴ Jan Oster, *Media Freedom as a Fundamental Right 1*(Cambridge University Press, U.K 2015).

settlement patterns in India were significantly affected by British colonial policies, which were primarily driven by economic concerns and social inequities. These policies were implemented during the time of British colonial rule in India. Since India attained its independence and began enforcing new restrictions, the nation's residents are no longer restricted in their ability to settle anywhere they like within India. As a direct consequence of this, our society has developed into one that is more inclusive and fairer.

CONSTITUTIONAL PROVISIONS

3.1. ANALYSIS OF RELEVANT PROVISIONS IN THE INDIAN CONSTITUTION

The right of Indian citizens to move freely within the country is guaranteed under several provisions of the Indian Constitution. These paragraphs emphasize the need of creating a society free of bias and harassment within the borders of the country. The following are explanations of several crucial provisions. Article 19 (1)(d)-It is the right of every Indian citizen, as guaranteed by Article 19(1)(d) of the Indian Constitution, "to move freely throughout the territory of India." Freedom of movement is guaranteed to all Indian nationals. The Constitution of India guarantees all Indian people the basic freedom to settle anywhere they want.

Although this freedom is guaranteed by Article 19(1)(d), the state may place reasonable restrictions on it in the interest of the general public or to protect scheduled tribes under Article 19(5). However, these limitations shouldn't be completely arbitrary. Article 15(1)- No one shall be treated differently because of their citizenship, race, religion, or caste, as stated in Article 15(1) of the Indian constitution. This rule ensures that no Indian person will ever be discriminated against because of their preferred living conditions. It's a reminder that people of Indian descent should be allowed full participation in every aspect of society. Article 16(2) guarantees that no person shall be subject to discrimination or be banned from holding any office or position under the State on the basis of residency or place of birth inside India, even though this article primarily refers to public service and employment. This provision protects the right to live wherever one pleases by barring housing discrimination in the workplace." Although the right to travel wherever one pleases is not a universal human right, this article defends it, along with the right to live wherever one chooses and the necessity of free trade inside India.⁵

⁵ M.P Jain, Indian Constitutional law 526 (Wadhwa and Co., Nagpur, 4th edn., Reprint 1998).

Article 14 requires that everyone be treated fairly and equitably before the law, even though it does not directly address the right to settle. It guarantees that all people living in India, regardless of where they physically dwell, enjoy the same protections under the law. State's primary priority is providing its people with equal chances to profit from and manage the community's material resources, as declared by the Declaratory Principles of Directive Article 39(b) and (c). Laws that seek to divide resources have the backing of these concepts more fairly, which also, implicitly, maintain people's right to settle wherever they like. Finally, the Indian Constitution has several provisions that defend and expand the right to freely move around the country. Every Indian citizen enjoys the ability to reside wherever they choose thanks to these regulations' emphasis on nondiscrimination, freedom of mobility, and equal treatment.

3.2. FUNDAMENTAL RIGHTS AND THEIR IMPORTANCE

The bedrock of a thriving democracy; the foundation of all other freedoms. The right to settle is deeply intertwined with other fundamental rights, like the right to life, the right to liberty, and the right to equality and dignity. Basic freedoms and the right to settle are inextricably intertwined in India, a country that places a premium on both cultural variety and democratic traditions. The Indian constitution, which was written in 1950, guarantees citizens certain rights and prevents the government from abusing its authority. These rights go beyond what is required by law, but they represent the principles of India's democratic system, such as fairness, equality, and personal freedom. Although the right to freely enter and remain in India is implied in other fundamental rights, it is not explicitly defined.

Every Indian citizen has the constitutional right to "move freely throughout the territory of India." This is explicitly stated in Article 19(d) of the Universal Declaration of Human Rights. To plant one's permanent flag somewhere requires this basic freedom. It safeguards individuals' independence to make their own decisions on where they live, work, and go to school. There would be no reason for people to settle there if they did not have this basic freedom. Article 14 of the Indian Constitution ensures that all people be afforded the same legal protections and benefits. This constitutional provision protects all Indian nationals and permanent residents from prejudice on account of their religion, caste, creed, or place of birth. It contributes to the development of a nation in which citizens of all backgrounds are free to settle wherever they choose.

Article 15 on Freedom from Discrimination forbids any kind of bias against anyone on the basis of their religion, race, ethnicity, caste, gender, or place of origin. If someone is discriminated against or stopped from living at their birthplace, it is a violation of their right to free movement. It guarantees the right of all Indian citizens to settle anywhere in the world. The "heart and soul" of the Indian Constitution, Article 21 guarantees Indians the right to life and personal liberty. Citizens' lives and liberties are fully protected. Citizens of India are guaranteed protection against arbitrary arrest, eviction, and other violations of their personal freedom by the Indian government. The freedom to settle where one pleases is protected. Articles 29 and 30 deal with cultural issues and school safety, respectively. These rules will allow minorities to open schools of their choosing and to openly practice their traditions. Relocating to a region where one's culture or language is in the minority necessitates these protections. Having faith in one's ability to raise children in line with one's own cultural beliefs while also providing them with a great education leads to a more diversified population. Article 19(1)(g) guarantees the right to freely engage in any lawful occupation. The government of India protects its citizens' freedom to pursue whatever line of work or economic strategy they see fit. The right to settle is intrinsically linked to the right to establish one's place of employment and conduct business. In conclusion, basic rights are not merely a set of rules that everyone must abide by; they are also the cornerstone of a free society and the protectors of personal liberty. Due to these safeguards, people are free to settle anywhere they like, without fear of persecution or governmental meddling. They are the bedrock of India's tolerant and egalitarian ideology, which proclaims that all citizens have the freedom to move about the country and find gainful employment⁶.

3.3. CASE STUDIES OF LANDMARK JUDGMENTS RELATED TO THE RIGHT TO SETTLE

The "Basic Structure Doctrine," established in the case of *Kesavananda Bharati v. State of Kerala*⁷ (1973), holds that some provisions of the Indian Constitution are not subject to Parliament's amending power and hence cannot be altered or eliminated. Although the settlement right has nothing to do with the right to acquire or retain property, the safety of said property is

⁶ Subhash C Kashyap, *Constitution of India 22* (Vitasta Publishing Pvt. Ltd. New Delhi, First edn., 2019).

⁷ AIR 1973 SC 1461

severely jeopardized. The case of *Maneka Gandhi v. the Union of India*⁸ from 1978 expanded the scope of Article 21, which protects the right to life and personal liberty. According to the decision, any law that prevents a person from going abroad must be reasonable. They are entitled to decide for themselves. The relevant case law is *Olga Tellis v. Bombay Municipal Corporation*⁹ (1985). A major ruling by the Indian Supreme Court affirmed the right to shelter under Article 21 of the Indian Constitution. Human rights would be violated if people were forced out into the streets without being offered alternative shelter. The landmark 1997 case . *Vishaka v. state of Rajasthan*¹⁰ significantly influenced legislation to protect women from sexual harassment in the workplace. This isn't about the fundamental right to one's own home, but it does highlight the importance of having a safe and welcoming neighborhood in which to settle down and bring up a family. The Supreme Court of India ordered the closure of several polluting factories in Delhi in the 1986 case *M.C. Mehta v. Union of India*¹¹ (1986), which had an indirect impact on the right to a clean environment. *Indira Sawhney v. Union of India*,¹² in which the Union of India filed a brief, dealt with the treatment of Native Americans in government service and education. It addressed questions of equality and the availability of previously excluded groups' access to resources like employment and higher education. In the 2011 case *Ram Jethmalani v. Union of India*, a disagreement emerged about the brutal removal of slum inhabitants from Delhi. In accordance with Article 21 of the Universal Declaration of Human Rights, which recognizes the right to shelter as part of the right to life, the Supreme Court has ordered the government to ensure that people who are being evicted have access to alternative accommodation.

STATE-SPECIFIC LAWS AND REGULATIONS

The Inner Line Permit (ILP) is only used by three states in northeastern India: Arunachal Pradesh, Nagaland, and Mizoram. This agreement restricts entry to anyone who is not a legal resident of India. In some regions, visitors and residents from outside these states may need an Inner Line Permit. Some countries have special land ownership and colonization regulations in place to protect the interests of their indigenous peoples. It may be more difficult for people who

⁸ (1978) 1 SCC 248

⁹ 1985 SCC (3) 545

¹⁰ AIR 1997 SC 3011

¹¹ AIR 1987 965

¹² AIR 1993 SC 477

are not native to the area to acquire property or develop themselves there. Property ownership and employment eligibility requirements are governed by a patchwork of laws across the several Indian states and union territories. It's possible that laws in different states will be different. Many regions require newcomers to register with local authorities or get certain licenses or papers before they are allowed to live there. Although federal law does not ban crossing state lines, many state and municipal governments may mandate automobile registration for residents. Challenges against state-level limits on the ability to move to a foreign country can lead to legal battles. The Indian Constitution provides a framework within which the laws can be assessed and construed by the courts.

3.4. COMPARISON WITH INTERNATIONAL NORMS AND HUMAN RIGHTS STANDARDS

The varied history, present, and future of India all contribute to the country's outlook on the universal right to settle anywhere one pleases within its borders. According to Article 19(1)(e) of the Indian Constitution, all people enjoy the freedom to move wherever they like inside the country. As was previously indicated, however, state laws frequently impose limitations on this right. See how these ideas stack up against globally accepted norms of human dignity below.

According to Article 13(2) of the UDHR, "everyone has the right to leave any country, including his or her own, and to return to his or her own country." This article focuses on the right to leave and return to one's own country; hence it does not go into detail about internal migration or the right to remain in one's own country. The ICCPR's Article 12(1) guarantees the right to freedom of movement, which includes the option to choose one's place of residence. The right to reside and gain employment in one's own nation is protected by these statutes. Article 19(1)(e) of the Indian Constitution protects individuals' rights under international law and the ICCPR, including the right to reside and work in any part of the country. However, due to India's intricate federal system, individual states have the right to enact regulations that may make it difficult for citizens of other states to freely migrate between states and obtain permanent status there. The right to freedom of movement may seem to be at odds with this. The Indian government's stance is consistent with its declared goal of ensuring national unity while meeting the demands of India's many diverse ethnic and regional communities. Because of tensions between different communities, several areas of the country have implemented measures to protect the indigenous population. Human Rights It is

of the utmost significance to make sure that these personal constraints do not infringe on any fundamental human rights. The freedom to reside and work in India must be restricted only where absolutely required and in a manner that is consistent with universally recognized human rights.

India's commitment to national unity and respect for human rights norms informs the government's position on the freedom to reside anywhere in the country. In spite of the fact that the Indian Constitution and federal laws are consistent with the ICCPR, restrictions imposed by individual states might make it impossible to move around freely within the country. Given the potential for interpretation differences across countries and through time, it can be difficult to achieve a balance between regional autonomy and individual rights. India should keep trying to find a workable answer that respects cultural diversity and human rights.

CHALLENGES AND CONTROVERSIES

4.1. DISCUSSION OF CHALLENGES AND CONTROVERSIES RELATED TO THE RIGHT TO SETTLE

Although the law guarantees everyone the chance to call India home, the country's complicated political history has meant that this right has often been tested and even contested. Some of the most common justifications and rebuttals of this liberty are as follows. One of the main concerns is that many states, especially those in the northeast, have restrictions that make it hard for people to move to and settle in their states from elsewhere. The subject of how to find a middle ground between preserving local traditions and ensuring people's freedom to move has been a hotly debated issue ever since the implementation of the Inner Line Permit (ILP) system and other constraints in some regions. Some states do not allow non-citizens to buy property, which places significant restrictions on who can legally own land there. This is a delicate issue because it could restrict people's ability to follow their economic dreams and locate where they feel most at home.

Changes in established neighborhoods may result from interstate migration and settlement. Disputes could arise over territory, resources, and cultural norms, necessitating the presence of law enforcement. Two potentially controversial topics are citizenship and identifying documents. There have been demonstrations and disagreements over who ought to be granted the status of "native" or "indigenous" resident with all the rights that entails. Legal disputes arise when reasonable persons disagree over the constitutionality of state-level regulations. These restrictions' authority to restrict citizens' freedom of movement inside a country has been called into doubt.

Economic factors have always been at the heart of India's lengthy history of internal migration. For example, many people move to the city from the countryside in quest of improved job prospects. Possible results include a decline in infrastructure, a decrease in economic potential, and a lack of housing in urban areas. It may be difficult for migrants to migrate due to variations in documentation and enforcement requirements between states. It's also possible that you could fall victim to identity theft or have trouble getting the services you need. There is a fear among some that state legislation may violate basic civil liberties, such as the freedom to travel and the right to be treated equally. These regulations' efficacy in protecting people's liberties is constantly evaluated. Political Controversy: Groups have varying stances on the property right to settle based on regional and national considerations. As a result, it may be more difficult to find answers to these problems. The political climate, social fabric, and economic climate of India could all be affected by the movement of migrants inside the country. Tension and worry are inevitable results of population variations. Due to the complexity of cultural, geographical, and historical factors, the question of who has the right to legally reside in India is highly disputed. While the Indian Constitution guarantees citizens the right to settle anywhere they like within the country, the Constitution's protections are not uniformly applied across the states. Protecting cultural diversity and human rights while eliminating economic disparities has proven difficult for India's government and legal system.¹³

4.2. ISSUES RELATED TO INTERNAL MIGRATION, CITIZENSHIP, AND STATE AUTONOMY

Internal migration, citizenship, and state autonomy issues in India are complex and varied due to the country's diversified population, federal government, and historical past. Some of the most significant challenges and barriers can be seen in the following areas: India's substantial economic imbalance is one of the factors contributing to the country's high rate of internal migration. Many people from the rural areas relocate to the city because they believe there are more employment opportunities there. However, this shift could result in crowded cities, deteriorating infrastructure, and difficulties providing basic necessities. Assimilation: It might be difficult for newcomers to a community to immediately feel accepted. Immigration-related problems in a society can be caused by a number of factors, including prejudice, language and cultural hurdles, and the difficulty of

¹³ V.N Shukla, Constitution of India (Eastern Book Company, Tenth edn., Delhi, 2001).

integrating into dominant culture. Migrants often encounter barriers to receiving necessary services and securing the required documentation after arriving in their new countries. This includes problems in obtaining legal status, enrolling children in school, and providing medical treatment. In many cases, slum-like informal communities spring up as a result of rapid urbanization. Residents in these locations are at risk due to a dearth of safe housing options, well-maintained public spaces, and vital services. Temporary workers are regularly needed in the agriculture and construction industries in India. Migrant workers frequently face unsafe working conditions, low wages, and a lack of legal protection. Some discussion has surrounded India's citizenship laws and regulations. The Citizenship Act of 1955 and its amendments outline the several paths to citizenship, including those through birth, descent, registration, and naturalization. Previous actions and declared goals have prompted fears of religious bigotry. The Assam National Register of Citizens (NRC) has been a point of contention throughout the NRC's existence. Although the system was devised to root out and eradicate "illegal immigrants," it was fascinating to hear the subsequent discussions on labeling, exclusion, and the possibility of statelessness. The Citizenship Amendment Act (CAA) of 2019 has been attacked for changing the secular nature of Indian citizenship and for being discriminatory towards Muslims. Under the CAA, members of religious minorities who are persecuted in surrounding countries can quickly petition for citizenship. Many Rohingya, Tibetan, and Sri Lankan Tamil refugees and stateless people have found safe haven in India. It is still difficult for them to fully assimilate because of the disparity in their rights and legal position. Political and Legal Standing India's federal structure makes the division of power between the federal government and the several states difficult to understand. The Constitution ensures the sovereignty of each state and its ability to make its own laws. Every nation has the right to pass its own laws according to its own values and circumstances. Disagreements might arise from the fact that different states have varied laws on land ownership, settlement, and resource management. Disagreements between the federal government and the states over their respective levels of autonomy in areas like resource management, taxes, and administrative affairs can have repercussions on governance and decision-making. Cross-border migration tests the efficiency of national governments. When politicians have different ideas about how to distribute authority, funds, and other resources, tensions can occur. In order to handle the issues of internal migration, citizenship, and state autonomy, Indian policymakers must find a middle ground between the rights of individuals, cultural variety, economic growth, and federalist

beliefs. To address these complicated problems, we need policies that are inclusive of all stakeholders, legal reforms, and open dialogue.¹⁴

CONCLUSION

Article 19(1)(e) of the Indian Constitution guarantees the right to reside anywhere inside India, reflecting India's dedication to individual freedom and unity in diversity. However, there are constraints and difficulties associated with actualizing this basic right. The necessity to promote individual rights without jeopardizing indigenous practices, local autonomy, or the prevention of intergroup violence are all factors in the selection of excluded groups. To protect local interests, every state has its own set of rules in place, such as the Inner Line Permit system and, in some cases, limitations on land ownership. Although constitutionally lawful within reasonable bounds, the breadth of these exclusions and their potential effects on human rights are sometimes hotly contested. The questionable legal standing of foreign nationals in India has been mentioned as a source of concern. Migration within a country as a result of economic disparity places a burden on cities and hampers the process of social cohesion. The Citizenship Amendment Act and the National Register of Citizens are two examples of complicated citizenship laws and initiatives, and discussions over them have brought up issues of religious discrimination, minority rights, and equal protection under the law. Competition for resources and regulatory authority arises in the context of internal migration due to India's federal structure, which grants substantial autonomy to individual states. A comprehensive approach that values variety, social fairness, and the protection of core human rights is necessary to find common ground between these extremes and address these problems. Keeping lines of communication open between the federal government and the states is essential to preserving federalism, individual liberty, and regional diversity. India must be conscious of international human rights norms when tackling the complex challenges surrounding the right to settle if it is to realize its goal of creating a more just and equal society.

¹⁴ G.S Pandey, Constitutional Law of India (Central Law Agency 40th edn. 2003).

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