

An Empirical Study on the Legality of Euthanasia

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Abstract: *Euthanasia is a practice of intentionally ending a life in order to get relief from the pain and suffering. Euthanasia has been categorised in three types: voluntary, non voluntary and involuntary. Euthanasia can be divided into active euthanasia and passive euthanasia. active euthanasia is a deliberate act to on purposely kill and terminally ill patient using numerous means. Passive euthanasia means when a person is under medical treatment and removing him from that so that he can be relieved out of the pain and in his life. The objective is to know whether people are aware of euthanasia and to educate them on the topic of euthanasia. The research method followed here is empirical research. A total of 204 samples out of which all samples have been collected through a convenient sampling method. The sample frame taken here is 204 which is from Chennai, Tamil Nadu. The independent variables are age, gender, marital status, educational qualifications and employment status. The dependent variables are whether terminally ill patients are provided with palliative care, Do you agree that people in India are aware of euthanasia, what kind of euthanasia do you think that has been legalised in India. Graphical representation is the statistical tool used here. The major finding is that people are aware of euthanasia and what kind of euthanasia has been legalised in India.*

Keywords: Euthanasia, right to die, active euthanasia, passive euthanasia, mercy killing

I. INTRODUCTION

Right to life is one of the basic human rights that every person gets which is one of the most important thing through which they can enjoy their other rights. every time a question arises that when a person has the right to live whether that person has the right to not live which means whether he has the right to die as his fundamental right. This brought the evolution of euthanasia. Euthanasia is a practice of intentional ending a life in order to to get relief from the pain and suffering. Euthanasia is been categorised in three types voluntary non voluntary and involuntary. Euthanasia can be divided into active euthanasia and passive euthanasia. active euthanasia is an deliberate act to on purposely kill and terminally ill patient using numerous means. Passive euthanasia means when a person is under medical treatment and removing him from that so that he can be relieved out of the pain and in his life. On 9th March 2018 in India the supreme court legalized passive euthanasia. But active euthanasia is not been legalised in India. After the Supreme Court of India legalised and gave the permission With dignity that right to die is the fundamental right. EOLC includes great correspondence, clinical dynamics, contact with clinical groups and families, complete evaluation of and particular meditations for physical, mental, profound, and social necessities of patients and their parental figures. The latest things in India are inspected, including ambiguities among EOLC and willful extermination. Future headings incorporate defining a public EOLC strategy, offering fitting types of assistance and preparing. The therapist ought to engage in this interaction, with significant obligations in giving great quality EOLC to patients with both life-restricting actual ailments and extreme mental issues, supporting their guardians, and guaranteeing nobility in death. While comparing with other countries In some countries euthanasia is legal whereas in other countries it is been treated as crime. There are some countries where the public conversation go over the moral ethical and legal issues of euthanasia. Those who are against mein argue and those who are not against may defend Euthanasia these are the countries which have legitimized Euthanasia the Netherland ,Belgium Oregon and Washington in USA ,Switzerland and India(only passive Euthanasia). Netherland was the first country which legalized euthanasia. In Belgium euthanasia was adopted in the year 2001. Belgium game only



permission to those patients who are adult. And after that the rest of the countries. The aim of this paper is to know whether the people in India are aware about euthanasia and to educate people on the concept of euthanasia

OBJECTIVES

This present study tends

- To examine whether terminally ill patients are provided with palliative care in India
- To study What kind of euthanasia do you think that has been legalised in India
- To analyse Whether active euthanasia be legalised in India
- To examine the legality of euthanasia in india

II. REVIEW OF LITERATURE

Lynne Parkinson, Katherine rainbird, Ian kerridge, Kerrie clover, 2014, why euthanasia and suicide have been a subject which have been in debate for a longer period of time. In this paper ,research has been done on the patients attitude and giving them permission for die. there is still work that should be done in this dubious June before any powerful in can be made concerning the The mentalities of patient to wilful extreme nation and help self destruction and the precipitation of a base arrangement of standard inquiries would upgrade this work. (Lynne parkinson and katherine rainbird ,2014). **M a Shaikh, anil kamal, 2011**, so here the author have taken opinion of University students about euthanasia from 4 different cities of Pakistan. so from that they are found that many of the peoples specified euthanasia as a drug of heavy dose given by the doctors to the patient who was suffering from some pain and they get relief and die. Some students did not a great they said that some new or modern things like medicine should be brought so that even those people who are suffering use them and survive instead of dying. they have concluded by saying that many students have supported euthanasia. (Shaikh and Kamal 2011). **Caesar Roy, 2011**, so in this the author tells that when a person and his life by his own act it is called as suicide and when a person and his life by other ways it is known as euthanasia or mercy killing. So in this paper the author speaks and discuss about euthanasia and its possible applications indifferent occasions of a living persons since from his or her birth. You are the author speaks that the purpose of suicide and euthanasia is self destruction but there is a clear difference between these two things. he speaks about five categories of euthanasia and various way for its application. he speaks that already supreme Court have spoke about euthanasia in India and have cleared the doubts. He speaks that in India passive euthanasia is legal. (Roy 2017) **Agila s, dhanasekar. m, 2018**, so you are the authors tell that every time the term euthanasia I have started an argument and many individuals are for or against of it. It has been one of the most important moral talks. It speaks about the independence of an individual right that he wants to live or die. In this article they try to cover about the good things of euthanasia and to show the Indian people about it as a socio lawful picture. In this research paper they explain about it and its foundation in traditional reasoning. They have concluded by saying that those ill patients who cannot live with the pain should get the right to die. (Agila s, dhamasekar. m, 2018) **Vinod k Sinha, s basu, Sujit sarkhel, 2012**, So your the authors tell that the care and the quantity of life issues in patients with their illness like advanced cancer and age had become a very big concern. Already there is such a big issue and another issue that have been erased is euthanasia or mercy killing for the the people who want to terminate their life means for the people who are suffering from a big disease because of which they are unable to live they are opting to die. Physician assisted suicidemake the people feel that instead of living with such a big pain they can choose a painless death. The aim of the authors in this paper is to to analyse about euthanasia in India and they have concluded by saying that proponents and the opponents of euthanasia are as active in India as in the rest of the world. (Sinha et al. 2012). **Dr sanjeev kumar tiwari, ambalika Karmakar, 2015**, the term euthanasia is often been a big debate and the people are for against it. Euthanasia is an very old issue . The term euthanasia means good death for easy death. Which means a painless death which is given to those patients who are suffering with the pain and feel that instead of being with this pain it is better to die. Here the authors have spoke about the types of euthanasia. In this paper they tried to tu to speak about euthanasia in a simple manner and what are its legal and moral complexity which is bean spoken all over the world. they have concluded by saying that euthanasia is a a sensitive and emotive subject. (Sanjeev



and Tiwari, 2015).Rateesh sareen,2019, so you are the author speak that euthanasia is a way through which a patient can die who is suffering from pain. Euthanasia issue because of quality of more than one course of direction and has been legitimized on different grounds. the universal profile profilerators firmly advocate as the sole goals of human life and contract wilful extermination as they accept the life is a valuable endowment of God and it is God just who has privilege to remove it.an attempt has been taken to legalise euthanasia.(Rateesh Sareen et al. 2019)Vaibhav goel,2008, where the author says that survival is no doubt a very valuable thing but sometimes there are some painful things which become the reason to end life. Euthanasia means that when a patient cannot handle the pain then he can end his life. Here the authors speaks about euthanasia and explain about euthanasia and the types of euthanasia. In many countries euthanasia is been legalised and tells that in India passive euthanasia has been legalised. But it does not means that suicide can be compared with euthanasia. Suicide is a different thing where a person gets depressed and wants to end the life which is illegal and in India in IPC they have provided the punishment for attempt of suicide euthanasia is something in which a person cannot live his life with the pain means the ill patients so that they can end up their life.(vaibhav goel et al. 2008).Toon quaghebeur,Bernadette dierckx de casterle,Chris gastmans,2009, in this article an overview is given about the nursing ethics arguments on euthanasia.nothing moral contention on killing are guided fundamentally by the standard of regard for self rules helpfulness and equality.Moral contention identified with the nursing calling are despited.from a consideration point of view we talk about contention that assess how much wilfulness extreme nation can be considered decidedly or contrarily as type of nursing care.most contention in the rules calling and ways to deal with nursing morals are utilised both professional and contra willfulness extreme nation when all is said and done and attendants association in killing specifically.(Toon Quaghebeur et al. 2009).Tanuj Kancha, Alok atreya,kewal kishan,2015,Aruna Ramachandran shanbaug inhaled her last following 42 years of being in a constant vegetative state.wilful extermination in any structure isn't allowed in India and it was distinct in the year 2011 that an appeal was recorded in the court that increased the discontinuation of the forcible feeding with an nasogastric tube and the solicitation for her quiet passing.what followed was a series of contention and counter contention identifying with euthanasia. The pit full death of Aruna isn't the finish of an individual it might be stopping point for abs rules and enactment on euthanasia in India.(Tanuj kanchan and alok atreya ,2015).Sanjeet Bagcchi,2015, to attend who don't into the essence of India's killing decision has kicked the bucket at 67 years old from pneumonia.aruna shanbaug passed on at the king edward memorial hospital, Mumbai, where she had filled in as attend until 1973 when a rough rape caused broad numerological harm and left her in in a vegetative status for the following 42 years.in 2011 the supreme Court of India accused a supplication for leniency murdering of shanbaug. In this case the court said that a few instances of willfulness extermination could be authorised in specialist some happened to document a case in court.(sanjeet Bagchi ,2015).Aloke Mazumder,archisman Mazumder,2015,so in this they spoke about that the honorable supreme Court of India on 9th March 2018 legalized passive euthanasia in India through which a person can come out from the life support which is been given in the ICU and can end his life. This decision was made after the case of Aruna shanbaug. They have conducted a study based on euthanasia among the students and they got a good response about the legalization of euthanasia in India.(Aloke Mazumder ,archisman mazumder,2015).Pradeep Singh, Avtar Singh gill ,Vikram Lakhan ,pal Pankaj Gupta, Vinod Kumar2020, killing is a late talk point nowadays in India. Barely any social orders like Jainism as of now encapsulated in a flu killing allowed by supreme Court of India on 3rd March 2018 to an individual who is over the age of 18 years different kinds of killing are there however just passive will fullness extermination will be allowed according to the law to critically ill patient who give advanced clinical mandates to getting specialist end his life in a stately way.advanced clinical bering giving by the patient outcome to painful make reference to under which conditions latest wilful extreme nation out to be controlled by the following lawful convention.(Pradeep singh and avtar Singh ,2015)Raghvendra Singh Shekhawat,Tanuj Kanchan ,Punit setia,Alok and kewalKrishna,2017,the lawful and good legitimacy of willfulness extermination has been address in various circumstances.in India the situation with euthanasia is the same. It was the Aruna saboo case that stood out enough to be noticed and driven the supreme Court of India to start definite consultation on the the since quite a while ago disregarded issue of willfulness extermination.understanding the significance of this issue and thinking about the progression and growth coming prosecution under the watchful eyes of various courts in the same manner The ministry of health and family welfare Government of India gave a public notification on May 2016 that welcome assessment



from the resident and the concerned partners on the proposal draught bill entitled the medical treatment of treatment till ill patients bill.(Raghvendra singh shekhawat ,tanuj kanchan,et al. 2017).Vibhu Agrawal,2011, euthanasia has been a champion among the most discussed moral issue as of late .it has been battered for quite a long time over its moral and legitimate.wilful extermination has been filled with debates with contention for and against it.Benevolence modelling has been viewed as the solitary reasonable choice when all Life care intersection missed the mark regarding guaranteeing a superior life for critical ill patient or for the patient who are in determined vegetative state. The right to life which has been stated under article 21 cannot be taken out.the point of this paper is to clarify the situation with willfulness extrema nation and to investigate the part of legal executive in its sanitation in India.(vibhu Agrawal , 2011)Dr.swarupa pal,2020, nobody has had the option to avoid or defeat death.weather or no individual is possible in support.the idea depends on the way of thinking of humanism and empathy.it preserves self sufficient of an individual opportunity to decide to live or kick the the bucket with respect. euthanasia is an old issue with its underlining foundation in traditional reason.the age-old importance of euthanasia in traditional India is an opportunity to live which allow the deliberated and discouraged to end their life.as a matter of fact it could be ordered in the premises of the assistant giving by the individual worried under the premise of procedure choice. Today a large number of the religion censure dynamic wilfulness extermination albeit a few license confined types of inactive killing.(Dr. Swarupa pal ,et al. 2021).Tejas motwani,2020,The discussion in regard to wilfulness extermination has been progressing since quite a while. In spite of their being conversation by the supreme court the current method for actualizing and executive euthanasia state complex and the past the range of every person. To permit the patient expressing Cygnus to pass on with respect and in harmony there is a need for a law that would cover different perspectives identified with killing.(Tejas Motwani, 2020).Dr.someswara rao,mrs.s.moniga,dr.m.ramesh,mr.manoj kumar,2020 Removing Life by executing with a feeling of kindness this is the thing that broadly called euthanasia.the longing of death of an in critical condition patient is a tranquil entry way of life. This idea summons a humanly feeling of leniency to deliver the at death door individual from excruciating torment and welcomes the work of kindness slaughtering. This isn't inquiring whether the activity of murdering is correct.in any case the enquiry is whether such benevolence related with the activity of the line of Bing terrible for example at the point when such slaughtering gives demise and when it transferred into murder according to law. In this paper an endeavor more regardless of whether there is need of such law by a stretch of the imagination.(Dr someswara Rao et al. 2020).Vijayalakshmi poreddi,nagarajaiah,reddemma konduru,suresh bada math,2014, euthanasia insight debate in different spaces like the good moral legitimate strike logical and financial.India authorised latest killing for patient with mind demise or who are in a lasting vegetative status in 2012 however research on view of euthanasia among individual in India is restricted.this examination intended to look at nose impression of the act of killing just as element affecting those discernment. The discovery and covered blended sentiment on killing among the medical attendance.nothing withstanding most of the members disagreed with acting of killing in any case for the exclusion is required on this issue the nation or among different will be experts with regarding to current enactment.(Vijayalakshmi Poreddi,nagarajaiah ,Reddema konduru, et al. 2014).Ganapati mudur,2019,Indian supreme Court has announced that pulling out life backing to the patient might be allowed in specific circumstances through a legitimate methodology in a milestone deciding that the country clinic local areas accepts will give direction to mind towards the finish of life. On 7th March the Court dismissed an appeal recorded to use prior to pull out taking care of help from Aruna shanbaug, a previous attained at the the hospital in Mumbai who has been in vegetative status since she has exploited a salt by medical clinic clearly in November 1973. However the court does not standard out in dosing a few instances of killing later on if specialist move towards the court to demand consent.(Ganapathi mudur , 2019).

III. METHODOLOGY

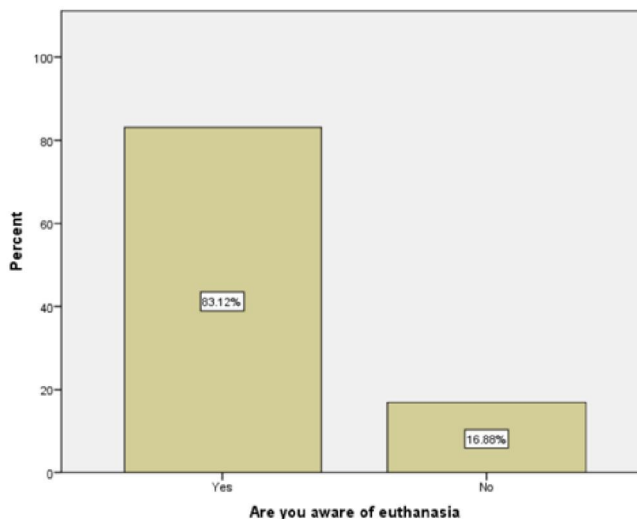
The research methodology followed here is empirical research. A total of 200 samples were collected using a convenient sampling method. Samples are collected among the general public of chennai, Tamil Nadu, India. The primary data are collected using questionnaire survey methods and the secondary data includes the articles, journals, reports and other blogs & web sources. This analysis includes demographic statistics such as gender, age, educational



qualification and monthly income. The tools used for analysis includes simple bar graphs, clustered bar graphs and descriptive statistics, crosstabs and chi square test was used to test the hypothesis of this study.

IV. ANALYSIS OF DATA

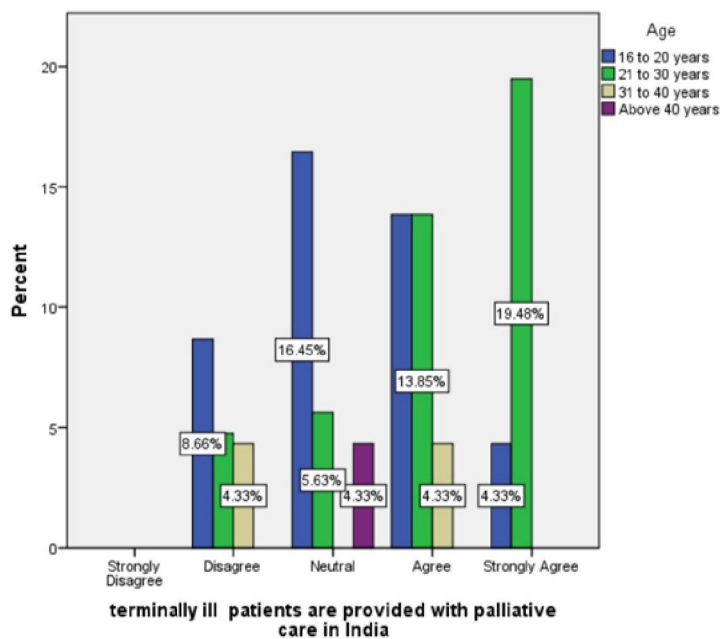
Figure 1



Legend

Figure 1 shows the respondent view on “are you aware of euthanasia”

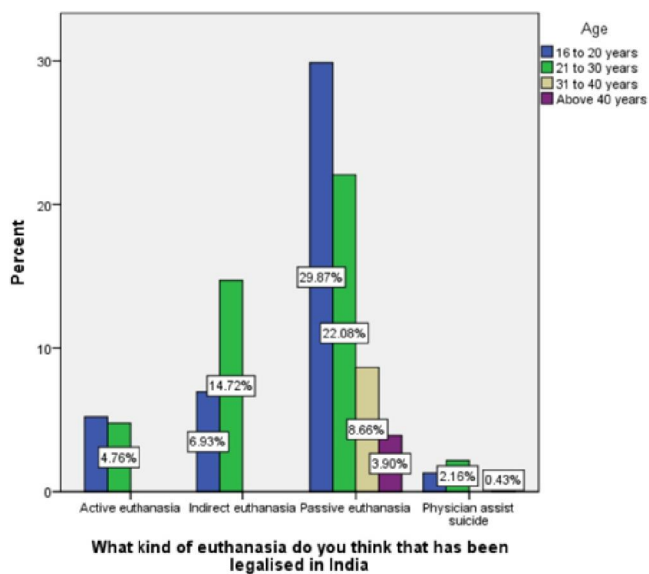
Figure 2



Legend: Figure 2 shows the respondent view on “terminally ill patients are provided with palliative care in India” on the basis of age



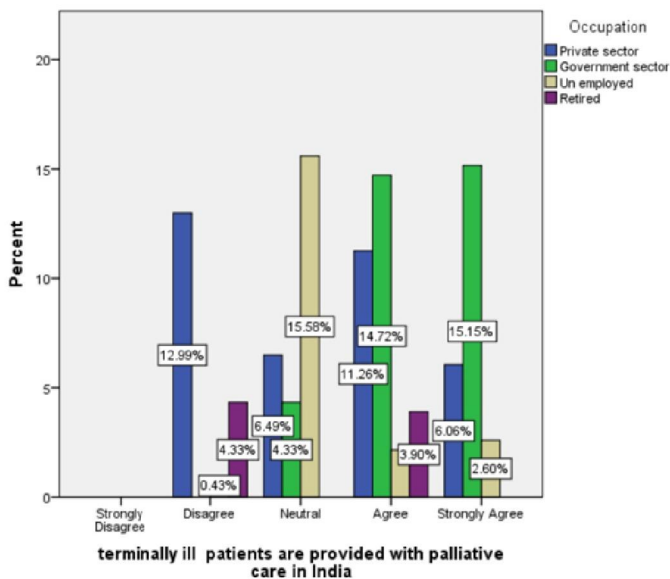
Figure 3



Legend

Figure 3 shows the respondent view on “ what kind of euthanasia do you think has been legalised in India” on the basis of age

Figure 4

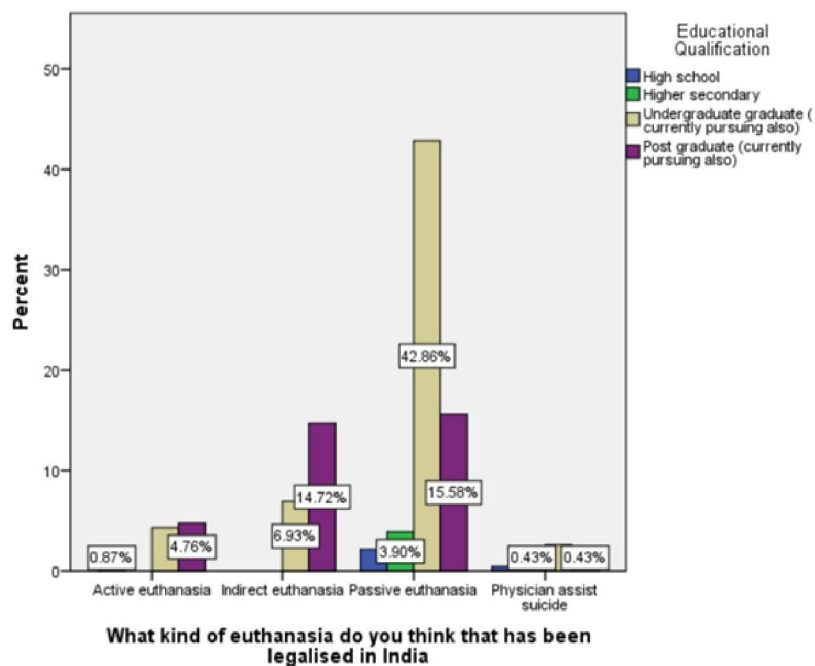


Legend

Figure 4 shows the respondent view on “ terminally ill patients are provided with palliative care in India” on the basis of occupation



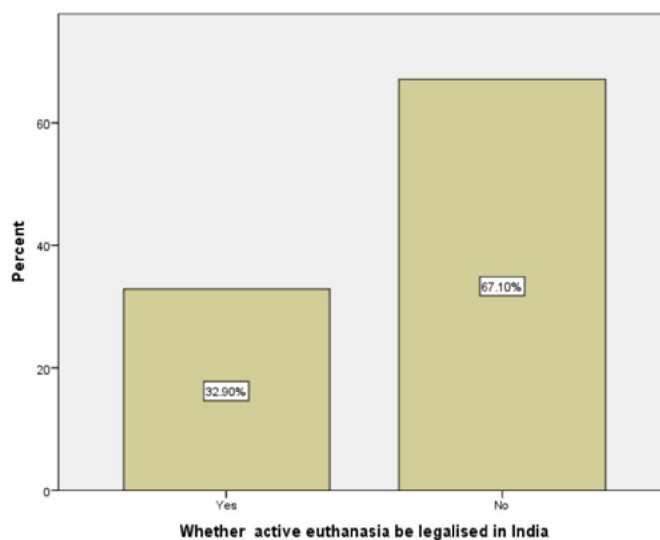
Figure 5



Legend

Figure 5 shows the respondent view on “what kind of euthanasia do you think that has been legalised in India ” on the basis of educational qualification.

Figure 6

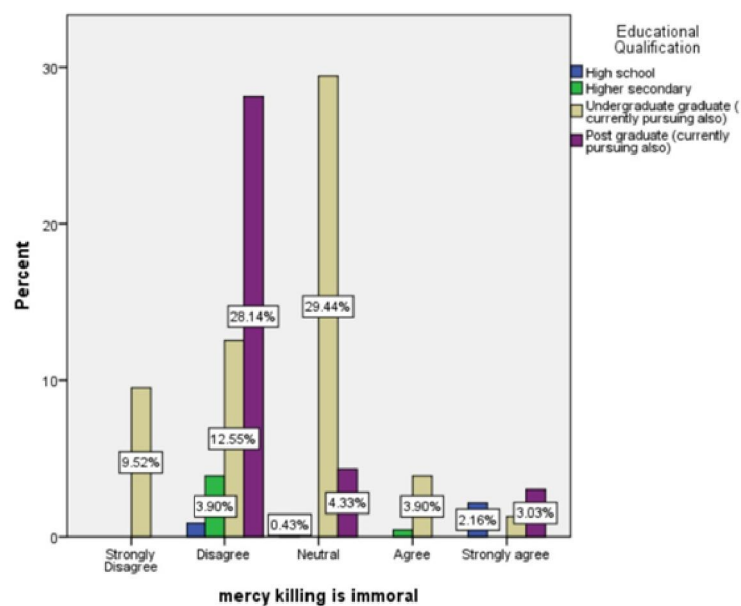


Legend

Figure 6 shows the respondent view on “ whether active euthanasia be legalised in India ”



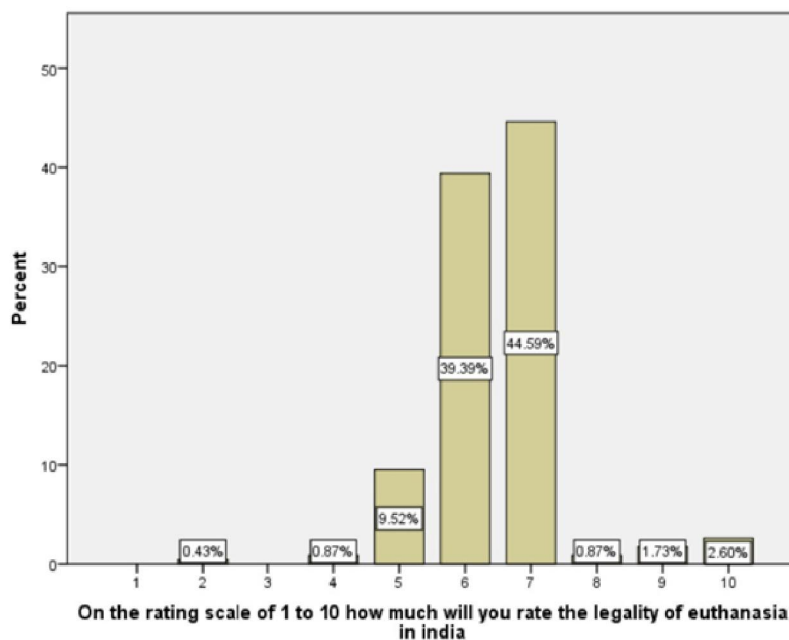
Figure 7



Legend

Figure 7 shows the respondent view on "mercy killing is immoral"

Figure 8

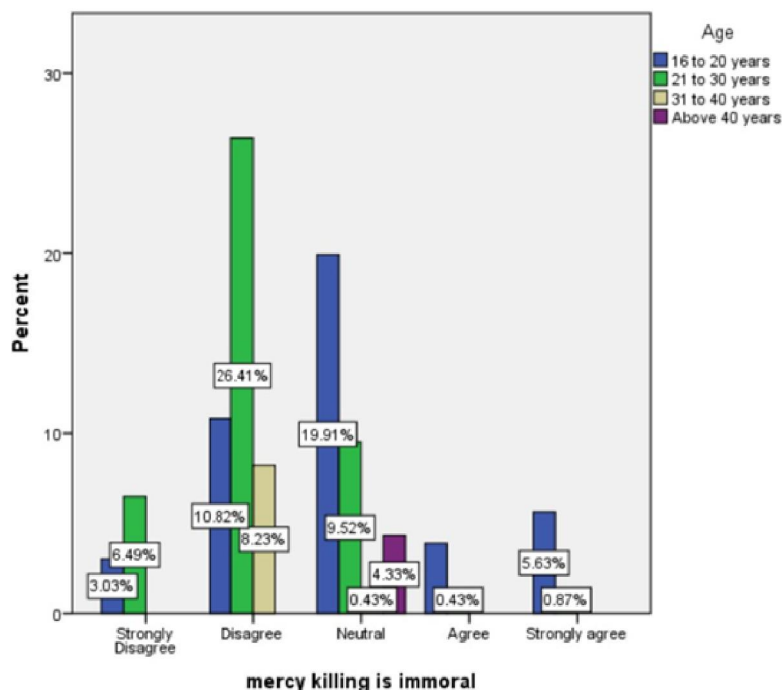


Legend

Figure 8 shows the rating scale of 7 out of 10 for "how much will you rate the legality of euthanasia in India"



Figure 9



Legend

Figure 9 shows the respondent view on "mercy killing is immoral"

Figure 10

ONE WAY ANOVA

Null hypothesis: There is no significant association between terminally ill patients provided with palliative care in India and age group.

Alternate hypothesis: There is no significant association between terminally ill patients provided with palliative care in India and age group.

Oneway

ANOVA

terminally ill patients are provided with palliative care in India

	Sum of Squares	df	Mean Square	F	Sig.
Between Groups	43.706	3	14.569	16.310	.000
Within Groups	202.770	227	.893		
Total	246.476	230			

Interpretation

The calculated value is 0.000. Since p value is <0.05 , null hypothesis is rejected. So there is no significant association between terminally ill patient provided with palliative care in india and age group.



Figure 11

CHI-SQUARE TEST

DV and DV NOMINAL

Null hypothesis: there is no significant association between are you aware of euthanasia and age group

Alternate hypothesis: there is no significant association between are you aware of euthanasia and age group

Are you aware of euthanasia * Age Crosstabulation

Count		Age				Total
		16 to 20 years	21 to 30 years	31 to 40 years	Above 40 years	
Are you aware of euthanasia	Yes	76	86	20	10	192
	No	24	15	0	0	39
Total		100	101	20	10	231

Chi-Square Tests

	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	10.000 ^a	3	.019
Likelihood Ratio	14.680	3	.002
Linear-by-Linear Association	9.452	1	.002
N of Valid Cases	231		

a. 2 cells (25.0%) have expected count less than 5. The minimum expected count is 1.69.

Interpretation: The calculated P value is 0.019. Since P value is <0.05, null hypothesis is rejected at 5% level of significance. So there is no significant association between are you aware of euthanasia and age group

V. RESULT

It was clear from figure 1 that About 38.12% of people are aware of euthanasia (fig1). It was clear from figure 2 that respondent from age group in which both 16-20 years shows neutral towards the statement that terminally ill people are provided with palliative care in India (fig2). It was clear from figure 3 that respondent from age group in which 16-20 years and 21-30 years says that passive euthanasia has been legalised in India (fig3). It was clear from figure 4 that respondent from occupation in which both private and public sector agrees towards the statement that terminally ill people are provided with palliative care in India (fig4). It was clear from figure 5 that respondent from education qualification in which Undergraduate student says that passive euthanasia has been legalised in India (fig5). It was clear from figure 6 that about 32.90% of people agree towards the statement that active euthanasia is not been legalised in India (fig6). It was clear from figure 7 that respondent from educational qualification in which post graduate students disagree towards the statement that mercy killing is immoral because (fig7). It was clear from figure 8 that about 44.59 % of people has been rated 8 for the legality of euthanasia (fig8). It was clear from figure 9 that respondent from age group in which the age group between 21-30 years disagree towards the statement mercy killing is immoral (fig9).

VI. DISCUSSION

About 38.12% of people are aware of euthanasia because euthanasia plays an important role where a person has right to live as well as right to die here Euthanasia is a practice of intentional ending a life in order to get relief from the pain and suffering. Therefore many people are aware of euthanasia (fig1). About 16.45% of the respondent from age group in which both 16-20 years shows neutral towards the statement that terminally ill people are provided with palliative care in India because terminally ill patients which eventually leads to death but in case if provided properly many lives could be saved. Even though palliative care is given to terminally ill patients, the current outbreak of Covid-19 results in many deaths and that influences people to think that palliative care is not given to terminally ill patients (fig2). In figure 3 respondent from age group in which 16-20 years and 21-30 years says that passive euthanasia has



been legalised in India, From this it can be interpreted that most of the people are aware what kind of euthanasia has been legalised in India. Where passive euthanasia means intentionally letting a patient die by withholding artificial life support such as a ventilator or feeding tube, when compared to various types of euthanasia passive euthanasia is normal way therefore passive euthanasia has been legalised in India (fig3). It was clear from figure 4 that respondents from occupation in which both private and public sector agree that terminally ill people are provided with palliative care in India because palliative care is not only provided for patients at end of life. It is mostly used to help all kinds of cancer patients and families identify their values and plan for the future as they navigate cancer treatment (fig4). About 42.86 % of respondents from education qualification in which Undergraduate student says that passive euthanasia has been legalised in India as I said before. From this it can be interpreted that most of the people are aware what kind of euthanasia has been legalised in India. Where passive euthanasia means intentionally letting a patient die by withholding artificial life support such as a ventilator or feeding tube (fig5). About 32.90% of people say that active euthanasia is not been legalised in India because the physician deliberately act, usually the administration of lethal drugs, to end an incurably or terminally ill patient's life that's why only the passive euthanasia has been legalised (fig6). About 28.14% of the respondents from educational qualification in which post graduate students show their response as disagree towards the statement that mercy killing is immoral because euthanasia is the practice were to end the life of another who is suffering from extreme pain or incurable illness so as per the response euthanasia is moral which means they also have right to die with dignity therefore euthanasia is moral (fig7). Figure 8 shows that out of 10 about 44.59 % of people has been rated 8 for the legality of euthanasia because there are many types in euthanasia like active euthanasia, passive euthanasia, indirect euthanasia and physician assisted suicide out of these only passive euthanasia has been legalised because passive euthanasia means intentionally letting a patient die by withholding artificial life support such as a ventilator or feeding tube, when compared to various types of euthanasia passive euthanasia is normal way therefore passive euthanasia has been legalised in India (fig8). About 26.41% of the respondents from age group in which 21-30 years disagree towards the statement that mercy killing is immoral because euthanasia is the practice were to end the life of another who is suffering from extreme pain or incurable illness so as per the response euthanasia is moral which means they also have right to die with dignity therefore euthanasia is moral (fig9).

VII. LIMITATION

One of the major limitations of the study in the sample frame. There is a major constraint in the sample frame as it limits to particular regions in Chennai alone and thus, it proves to be difficult to extrapolate it to a larger population. Another limitation is the sample size of 200 which cannot be used to think of the entire population in a particular country, state or city.

VIII. CONCLUSION

Euthanasia is a practice of intentionally ending a life in order to get relief from the pain and suffering. The major objective is to understand whether the general public is aware about euthanasia and what kind of euthanasia has been legalised in India. The major finding is that euthanasia is a concept that people are aware of and came to know that the people of India know that passive euthanasia is the one that has been legalised in India. Euthanasia consists of 2 types active and passive euthanasia where passive euthanasia has been legalised in India so that a person is relieved out of pain in his life and given right to die with dignity as his fundamental right. Some countries treat it as a crime but it is always better to relieve the pain of a person who is suffering a lot due to the pain which possibly leads him/her to death anyways.

IX. SUGGESTION

In the scope of it is to suggest that when there is a right to live, a person should also have the right to die with dignity. Euthanasia is a practice of killing a person who is suffering with pain here I state that the practice of euthanasia is considered as moral because euthanasia is the practice were to end the life of another who is suffering from extreme pain or incurable illness so as per the response euthanasia is moral which means they also have right to die with dignity therefore euthanasia is moral. Only passive euthanasia is legalised in India I suggest that active euthanasia can also be



legalised in india it is one of the type of ethanasia it also comes under to end the life of another who is suffering from extreme pain

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