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K.S PUTTASWAMY V. UNION OF INDIA (2017) 10 SCC 1

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I. INTRODUCTION:

The landmark case of Justice K.S. Puttaswamy v. Union of India sooner or later made the right to privacy a fundamental right in Indian law. Before that, it changed into assumed but no longer continually truly said. This ruling, made with the aid of a 9-decide bench of the Supreme Court of India, modified the way people and the authorities engage in the virtual and surveillance age. The decision is important no longer best for protective information, bodily integrity, and the right to make choices, but also as a constitutional anchor for brand new technology like Artificial Intelligence (AI) and biometric governance structures.

II. FACTS OF THE CASE:

A retired Karnataka High Court decide named Justice K.S. Puttaswamy filed a petition in this situation regarding the Aadhaar Project, which become led by means of the Unique Identification Authority of India (UIDAI). The UIDAI provided Indian residents with a 12-digit identification range known as their Aadhaar variety. In an effort to put off fraudulent beneficiaries and expedite the carrier delivery process, the Aadhaar project became linked to a number of welfare applications. Justice Puttaswamy filed a petition in a try to contest the Aadhaar card program's constitutionality. Other petitions contesting numerous Aadhaar features had been sooner or later despatched to the Supreme Court as nicely. The authorities' standards for gathering demographic biometric data had been wondered in 2015 before a three-choose courtroom panel given that they violated human being's proper to privacy. The Attorney General of India used the rulings in M.P. Sharma and Kharak Singh to argue against the life of the fundamental right to privateness. The three-judge bench considered some of Supreme Court rulings that set up the proper to privacy as an essential right guaranteed by means of the constitution at the same time as tackling those problems. However, benches with much less

power than the ones in M.P. Sharma and Kharak Singh made these later rulings, which upheld the lifestyles of a right to privateness assured with the aid of the constitution. In order to study the precedents established in M.P. Sharma and Kharak Singh as well as the validity of the following rulings, the case become stated a Constitution Bench. A Constitution Bench decided on July 18, 2017, that a 9-decide panel ought to decide the matter.

III. BACKGROUND:

The case started out as a constitutional venture to the Aadhaar application, which required the gathering of biometric records so one can get right of entry to welfare packages. Retired High Court judge Justice Puttaswamy filed a writ petition contesting the Aadhaar framework, arguing that it violates human being's right to privacy.

Whether or now not the proper to privacy is a essential proper under Part III of the Constitution became the principle legal query. This necessitated reevaluating past precedents, particularly:

- M.P. Sharma v. Satish Chandra (1954) SCR 1077
- State of U.P. V. Kharak Singh AIR 1963 SC 1295
- Both of which had confined or denied the proper to privacy beneath the constitution.

IV. ISSUES OF THE CASE:

1. Is a fundamental proper to privacy guaranteed by using the Indian Constitution?
2. If so, which clauses in Part III of the Constitution apply?
3. What does the proper to privateness cowl and what does it cover?

V. ARGUMENTS:

The Respondents primarily cited the rulings in the M.P. Sharma and Kharak Singh cases, which noted that the right to privacy was not expressly protected by the Constitution. The Respondents contended that because the rulings were rendered by eight judges and six judges, respectively, they would take precedence over any subsequent rulings from smaller benches. The respondents also contended that the right to privacy was not intended to be a fundamental right by the framers of the Constitution.

However, the Petitioners contended that the foundation of M.P. Sharma and Kharak Singh was established by the principles outlined in A.K. Gopalan vs. State of Madras (1950 SCR 88). The petitioners contended that in Rustom Cavasji Cooper vs. Union of India ((1970) 1 SCC 248),

an eleven-judge bench ruled that A.K. Gopalan, which interpreted each clause in the Chapter on Fundamental Rights as embodying a distinct protection, was not good law. As a result, the petitioners argued that the two previous rulings' foundations were invalid. Additionally, the minority ruling of Justice Subba Rao in Kharak Singh was specifically upheld in the seven-judge bench decision in Maneka Gandhi vs. Union of India ((1978) 1 SCC 248), while the majority's ruling was overturned. The extent of the right to privacy was another topic of discussion during the hearing. While the Respondents contended that the right to privacy was a vague idea that could only be clarified as a statutory and common law right, the Petitioners promoted a multifaceted model of privacy as a fundamental right. In light of the fact that privacy is a natural right and an international human right, the petitioners contended that the Constitution must be interpreted in accordance with the Preamble. The respondents supported a limited strategy, which emphasized the Constitution as the only source of fundamental rights and the only body with the right to amend Parliament.

VI. DECISION OF THE COURT:

The Supreme Court unanimously ruled in the decision of a landmark 547-page that privacy is preserved under Article 21 as it is fundamental for life and freedom.

- Additionally, it comes from independence protected by Articles 14, 19 and 21.
- MP. Sharma and Khadak Singh, the previous regime were overturned.
- On behalf of four judges, Justice D.Y. Chandrachud underlined that the basic component of human dignity is secrecy, addressing:
 - Autonomy in personal decisions, such as sexual orientation or abortion, is known as decisive privacy.
 - Information Privacy: Authority on Personal Information
 - Physical privacy: purity of human body.

VII. JUDICIAL LOGIC AND CONSTITUTIONAL PHILOSOPHY

- The court adopted a comprehensive and layered approach to secrecy:
 - Natural Rights Principle: Privacy is the forecast of the constitution; It is a part of human existence.

- Constitutional ethics: The state should maintain personal dignity, even if the majority opinion is a contradiction.
- Proportional testing: Any violation on privacy should be tested three times - validity, requirement and genetics should be met.
- The decision aligns Indian privacy jurisprudence with global standards: eg:
 - European Court of Human Rights (eg, S. and Marpar vs UK, 2008)
 - American jurisprudence (eg, Roe V. Wade, Griswold V. Connecticut)

VIII. PERTINENCE TO CURRENT CONCERNS:

1. Data Security and Monitoring

The ruling created the foundation for India's upcoming Digital Personal Data Protection Act, 2023, and recognized people's right to informational self-determination. Furthermore, it created constitutional limitations on extensive monitoring programs like Aadhaar (finally reviewed in Puttaswamy II, 2018), Central Monitoring System (CMS) facial recognition technologies

2. Algorithmic Governance and Artificial Intelligence

The Court's reasoning is very relevant in the age of AI-driven decision-making. AI-based hiring systems, automated profiling, and predictive policing often violate informational privacy and autonomy unless backed by legal protections. The ruling anticipates the necessity of algorithmic accountability, fairness, and transparency—areas that are currently unregulated by Indian law.

3. Corporate Data Practices

The ruling establishes the foundation for the horizontal application of privacy against private actors, even though its primary focus is on State action. In order to regulate tech behemoths like Google, Meta, and Amazon, this is essential.

IX. SIGNIFICANCE OF THE JUDGMENT

The Puttaswamy ruling is a significant ruling with broad ramifications for Indian citizens' liberties and rights. It fortifies privacy protection and gives people the ability to contest government actions that infringe upon their individual liberty and dignity. The ruling has impacted the evolution of data protection laws and regulations in India and has been referenced in later cases.

X. CRITICAL ANALYSIS:

The ruling is powerful, forward-wondering, and modern, but it has positive drawbacks:

- Future interpretation will decide the appropriate volume of the right to privateness.
- After the decision, there has been no immediately statutory framework, and legislative motion become slow. There are implementation ambiguities due to the fact the proportionality take a look act's utility turned into mentioned however no longer particularly defined.
- It did, however, alternate Indian constitutional regulation and set the stage for destiny rights-based totally jurisprudence, in particular inside the digital sphere.

XI. CONCLUSION:

A crucial turning point in Indian constitutionalism, the Puttaswamy ruling added India's rights regime into line with the demands of the twenty-first century. It upholds the concept that every person ought to hold control over their mind, body, and statistics in a democracy based on liberty and dignity. Puttaswamy presents the constitutional lens to assess new threats and uphold the concord among innovation and rights as we flow towards AI-integrated governance and digital surveillance.

XII. REFERENCES:

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