










JUSTICE K.S. PUTTASWAMY V. UNION OF INDIA (2017)

Constitutional Interpretation & Basic Structure

PRELIMS SNAPSHOT

-  1. Prelims Snapshot (Fact Box)
-  Year: 2017
-  Case: Justice K.S. Puttaswamy (Retd.) v. Union of India
-  Bench Strength: 9 Judges (unanimous)
-  Key Articles Involved: Article 14, Article 19, Article 21
-  Doctrine Evolved: Right to Privacy as a Fundamental Right under Article 21
-  Famous Line: "Privacy is the constitutional core of human dignity."

CONTEXT & BACKGROUND

This case originated when retired Justice K.S. Puttaswamy filed a petition challenging the mandatory use of Aadhaar, claiming it violated the right to privacy. At the time, the government argued



UPSC
GURUS

MAJOR SUPREME COURT JUDGEMENTS

that privacy was not a Fundamental Right, based on earlier rulings like M.P. Sharma (1954) and Kharak Singh (1962). The matter was referred to a 9-judge Constitutional Bench to decide whether the Indian Constitution guarantees the right to privacy as a fundamental right.

CONSTITUTIONAL ISSUES RAISED

- Is privacy protected under Article 21 as part of personal liberty?
- Should earlier decisions that denied the existence of such a right be overruled?
- What is the scope and limit of the right to privacy in a democratic society?

VERDICT & RATIO DECIDENDI

The Court unanimously held that:

- Right to Privacy is a Fundamental Right, protected under Articles 14, 19, and 21
- The earlier decisions in M.P. Sharma and Kharak Singh were overruled



- Privacy is intrinsic to life and liberty, and includes bodily integrity, informational privacy, and decisional autonomy
- Any restriction on privacy must pass the tests of legality, necessity, and proportionality

Justice D.Y. Chandrachud noted: "The right to privacy is not surrendered when a person enters the public sphere."

DOCTRINE / PRINCIPLE EVOLVED

- Right to Privacy is part of the Basic Structure through its integration with Article 21
- Privacy includes multiple dimensions:
- Informational privacy (data, Aadhaar)
- Decisional autonomy (reproductive rights, sexual orientation)
- Bodily privacy
- The judgment laid down the triple test for permissible restrictions:
- Legality (must be backed by law)
- Necessity (legitimate state aim)
- Proportionality (least restrictive means)



**UPSC
GURUS**

MAJOR SUPREME COURT JUDGEMENTS

IMPACT & LEGACY

- Overturned outdated precedents on privacy
- Became the foundation for later landmark rulings like:
- Navtej Johar v. Union of India (2018) – Decriminalising homosexuality
- Joseph Shine v. Union of India (2018) – Decriminalising adultery
- Aadhaar Judgment (2018) – Privacy concerns in biometric data collection
- Elevated data protection and digital rights as constitutional concerns
- Marked a shift towards individual-centric governance and dignity-based jurisprudence



MAJOR SUPREME COURT JUDGEMENTS

RELEVANCE FOR UPSC

- GS Paper 2:
 - Evolution of Fundamental Rights
 - Digital governance and data protection
 - Right to life and liberty under Article 21
- GS Paper 4 (Ethics):
 - Autonomy, human dignity, surveillance ethics
- Essay Paper:
 - Suitable for essays on Technology vs. Privacy, Freedom and State Surveillance, Constitutional Morality
- UPSC Interview:
 - Useful in debates on privacy laws, Aadhaar, internet freedoms, or regulating AI and personal data

**TO DOWNLOAD PDF
JOIN OUR TELEGRAM
CHANNEL**

https://t.me/UPSC_Gurus









**OR
DOWNLOAD FROM
OUR WEBSITE**

www.upscgurus.in

FOLLOW US



 **@UPSCGURUS**  **8122002172**  **UPSC.GURUS**
 **UPSC_Gurus**  **www.upscgurus.in**  **upscgurus@gmail.com**