

ITEM NO.1501

COURT NO.1

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Writ Petition(s) (Civil) No(s). 494/2012

JUSTICE K.S.PUTTASWAMY (RETD) AND ANR. &amp; ANR.

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS. &amp; ORS.

Respondent(s)

(HEARD BY HON'BLE THE CHIEF JUSTICE ,HON'BLE MR. JUSTICE J. CHELAMESWAR ,HON'BLE MR. JUSTICE S.A. BOBDE ,HON'BLE MR. JUSTICE R.K. AGRAWAL ,HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN ,HON'BLE MR. JUSTICE ABHAY MANOHAR SAPRE ,HON'BLE DR. JUSTICE D.Y. CHANDRACHUD ,HON'BLE MR. JUSTICE SANJAY KISHAN KAUL ,HON'BLE MR. JUSTICE S. ABDUL NAZEER )

WITH

CONMT.PET. (C) No. 144/2014 In W.P. (C) No. 494/2012 (PIL-W)

W.P. (C) No. 220/2015 (PIL-W)

T.P. (C) No. 313/2014 (XVI -A)

T.P. (C) No. 312/2014 (XVI -A)

SLP(Cr1) No. 2524/2014 (II-A)

CONMT.PET. (C) No. 844/2017 In W.P. (C) No. 494/2012 (PIL-W)

W.P. (C) No. 342/2017 (PIL-W)

(FOR INTERIM PRAYERS FOR GRANT OF INTERIM RELIEF ON IA 1/2017)

CONMT.PET. (C) No. 674/2015 In W.P. (C) No. 829/2013 (PIL-W)

T.P. (C) No. 921/2015 (XVI -A)

CONMT.PET. (C) No. 470/2015 In W.P. (C) No. 494/2012 (PIL-W)

CONMT.PET. (C) No. 444/2016 In W.P. (C) No. 494/2012 (PIL-W)

W.P. (C) No. 833/2013 (PIL-W)

CONMT.PET. (C) No. 608/2016 In W.P. (C) No. 494/2012 (PIL-W)

W.P. (C) No. 797/2016 (PIL-W)

(FOR [PERMISSION TO FILE ANNEXURES] ON IA 4/2016

FOR [DIRECTIONS] ON IA 5/2017

FOR STAY APPLICATION ON IA 6/2017)

W.P. (C) No. 829/2013 (PIL-W)

W.P. (C) No. 932/2013 (PIL-W)

W.P. (C) No. 37/2015 (PIL-W)

T.C. (C) No. 151/2013 (XVI -A)

T.C. (C) No. 152/2013 (XVI -A)

W.P. (C) No. 372/2017 (X)

Date : 24-08-2017 This Matter was called on for pronouncement today.

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CP 470/2015  
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444/2016, 608/2016  
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In TP 313 & 312/2014

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For Petitioner(s) Mr. Prashant Bhushan, AOR  
In CP 844/2017

For Petitioner(s) Mr. Chittaranjan Mishra, Adv.  
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Ms. Jesal Wahi, Adv.  
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Ms. Sansriti Pathak, Adv.

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In WP 494/2012 Mr. Dipesh Sinha, Adv.

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Ms. Anuradha Arputham, Adv.  
Mr. Amit Arora, Adv.  
Ms. Simran Jeet, Adv.

1. The judgment on behalf of the Hon'ble Chief Justice Shri Justice Jagdish Singh Khehar, Shri Justice R.K.Agrawal, Shri Justice S. Abdul Nazeer and Dr. Justice D.Y. Chandrachud was delivered by Dr. Justice D.Y. Chandrachud. Shri Justice J. Chelameswar, Shri Justice S.A. Bobde, Shri Justice Abhay Manohar Sapre, Shri Justice Rohinton Fali Nariman and Shri Justice Sanjay Kishan Kaul delivered separate judgments.

2. The reference is disposed of in the following terms:

(i) The decision in M P Sharma which holds that the right to privacy is not protected by the Constitution stands over-ruled;

(ii) The decision in Kharak Singh to the extent that it holds that

the right to privacy is not protected by the Constitution stands over-ruled;

(iii) The right to privacy is protected as an intrinsic part of the right to life and personal liberty under Article 21 and as a part of the freedoms guaranteed by Part III of the Constitution.

(iv) Decisions subsequent to Kharak Singh which have enunciated the position in (iii) above lay down the correct position in law.

(PARVEEN KUMAR)

AR CUM PS

[Six Reportable Judgments and one common Order are placed on the file]

(RENUKA SADANA)

ASST.REGISTRAR