IMPACT: International Journal of Research in Humanities, Arts and Literature (IMPACT: IJRHAL)
ISSN (P): 2347-4564; ISSN (E): 2321-8878
Vol. 6, Issue 8, Aug 2018, 545-556

THE RIGHT TO PRIVACY IS PROTECTED AS AN INTRINSIC PART OF THE RIGHT TO LIFE AND PERSONAL LIBERTY UNDER ARTICLE 21 OF THE CONSTITUTION OF INDIA: AN EVALUATION

Arshi Pal Kaur

Assistant Professor, Department of Laws, Guru Nanak Dev University, Regional Campus, Gurdaspur, Punjab, India

Received: 21 Aug 2018 **Accepted:** 25 Aug 2018 **Published:** 31 Aug 2018

ABSTRACT

"The right to personal liberty takes in not only a right to be free from restrictions placed on his movements but also free from encroachments on his private life. It is true our Constitution does not expressly declare a right to privacy as a Fundamental Right, but the said right is as an essential ingredient of personal liberty. The Right to Privacy is considered as an inalienable and intrinsic right of every individual being. In order to build societal relationships, the autonomy of the individual is very important because it helps the individual to develop relationships through their personal free choices. The scope of the "right to privacy" which was held to be implicit in the right to life and personal liberty guaranteed under Article 21. The "right to privacy" meant "a right to be let alone. although the "right to privacy" is a fundamental right under Article 21 of the Constitution it is not an absolute right and restrictions can be imposed on it for the prevention of crime, disorder or the protection of health or morals or protection of rights and freedom of others. The modern technological era everyone uses the internet in order to communicate, to buy goods and services, to browse the internet in order to trace any information, to send e-mails, net-banking, online payments etc. Therefore, the various internet sites install cookies, which can tag browsers for unique identified numbers. Due to the above-mentioned reasons, the informational privacy of an individual is very important in these areas."

KEYWORDS: *Ingredient of Personal Liberty, Unlawful Interference with His Privacy, Postulates and Principles of Human Rights*

INTRODUCTION

By the expression, the right to privacy is meant the right to be left alone to live one's own life with the minimum degree of interference. In the expanded form, it includes a right against interference with his /her private life, family and home life, attack on his/her honor and reputation; being placed in a false light, the disclosure of irrelevant and embracing facts relating to his private; spying; prying, watching and be sitting and interference with his/ her *correspondence*. [1]

RIGHT TO PRIVACY: INTERNATIONAL INSTRUMENTS

The right to privacy is stipulated in *the covenant on Civil and Political Rights* under Article 17 Para (1), which says that no one shall be subjected to arbitrary or unlawful interference with his privacy, family, home, or correspondence, nor to unlawful attacks on his honor and reputation. Similarly, *the European Convention for the protection of Human Rights and Fundamental Freedoms* Under Article 8 declares that right to privacy includes the right to respect for his/her private and family life, home and correspondence. *The American Convention on Human Rights, 1978* stated in its preamble that "the essential rights of man are not derived from one's being a national of a certain but are based upon attributes of the human personality, and they therefore, justify international protection in the form of a convention reinforcing or complementing the protection provided by the domestic law of the American States." This convention Under Article 11 further stated that "*Right to Privacy to all persons subject to the jurisdiction of the States Parties"*. Universal Declaration of Human Rights enumerated the basic postulates and principles of human rights in a most comprehensive manner. *Article 12* of the *Universal Declaration of Human Rights, 1948* also declares, *"No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honor and reputation. Everyone has the right to the protection of the law against such interference or attacks."* Children's privacy also protected under the Convention on the Rights of Child under Article 16 which asserted that **"***No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor to unlawful attacks on his or her honor and reputation. The child has the right to the protection of the law against such interference or attacks."*[2]

In an American case, *Jane Roe v. Henry Wade*[3] the U.S Supreme Court has observed regarding the right to privacy:

> *"Although the Constitution of the USA does not explicitly mention any right of privacy, the U.S Court Supreme Court recognises that a right of personal privacy, or a guarantee of certain areas or zones of privacy, does exist under the constitution, and that the roots of that right may be found in the first Amendment, in the fourth and fifth Amendments, in the penumbras of the Bill of rights, in the Ninth Amendment, and in the concept of liberty guaranteed by the first section of the XIV Amendment and that the "right of privacy is not absolute."*

The Supreme Court of India has taken into consideration the US position as well as Article 8 of the European Convention on Human Rights, which defines the right to privacy. [4]

EVOLUTION AND GROWTH OF RIGHT TO PRIVACY IN INDIA

The Constitution does not grant in specific and express terms any right to privacy as such. Right to privacy is not enumerated as a Fundamental Right in the Constitution. However, such a right has been culled by the Supreme Court from Article 21 and several other provisions of the Constitution read with the Directive Principles of State policy.5

Domiciliary Visit is an Infringement of the Right to Privacy

However, in *Kharak Singh v. the State of U.P*,[6] it was held by Supreme Court that the 'domiciliary visit' is an infringement of the right to privacy and is violative of the citizen's fundamental right of personal liberty guaranteed under Article 21 of the Constitution. *Justice Ayyangar* in this case, asserted, *"An unauthorized intrusion into a person's home and the disturbance caused to him thereby is as it were the violation of a common law right of a man – an ultimate essential of ordered liberty...."*On the other hand, *Justice Subba Rao* was in favor of inferring the right to privacy from the expression 'personal liberty' in Article 21[7]. In the words of *Justice Subba Rao*, "Further, the right to personal liberty takes in not only a right to be free from restrictions placed on his movements but also free from encroachments on his private life.It is true our Constitution does not expressly declare a right to privacy as a Fundamental Right, but the said right is as an essential ingredient of personal liberty. Every democratic country sanctifies domestic life...."[8] It is to be noted that in this case only a part of the right to privacy was regarded as violative of Article 21.[9] Justice Subba Rao further observed, "An individual has a right to be free from restrictions or encroachments on his person, whether they are directly imposed or indirectly brought about by calculated measures. He also concluded that all the acts of surveillance under Regulation 236 of the U.P. Police Regulations infringe the fundamental right of the petitioner under Article 21 of the Constitution." [10] However, the majority opinion did not agree with him. They held that right to privacy is not a guaranteed right in the Constitution, and therefore the attempt to ascertain the movements of an individual which is merely a manner in which privacy is invaded is not an infringement of a fundamental right guaranteed by Part III. In this case, an only a domiciliary visit was considered as unconstitutional.[11]

The Right to Privacy in Any Event will Necessarily have to go through a Process of Case to Case Development

In *Govind v. State of Madhya Pradesh*[12] the Supreme Court undertook a more elaborate appraisal of the right to privacy. It was held that the right to personal liberty, and the right to move freely and speech could be described as contributing to the right to privacy. However, the right was not absolute and would always be subjected to reasonable restrictions. The right would necessarily have to go through a process of case by case development. The Court further considered that the constitutional validity of a regulation which provided for surveillance by way of several measures indicated in the said regulation. The Court upheld the regulation by ruling that Article 21was not violated as the regulation in question was 'procedure established by law', in terms of Article 21. The Court also accepted a limited Fundamental Right to privacy "as an emanation" from Article 19(a),(d) and 21. The right to privacy is not, however, absolute; reasonable restrictions can be placed thereon in public interest under Article 19(5).[13] Thus, Mathew, J., further observed,

> *"The right to privacy in any event will necessarily have to go through a process of the case to case development. Therefore, even assuming that the right to personal liberty, the right to move freely throughout the territory of*

India and the freedom of speech creates an independent right to privacy as an emanation from them which one can characterize as a Fundamental Right, we do not think that the right is absolute. Assuming that the Fundamental Right explicitly guaranteed to a citizen have penumbral zones and that the right of privacy is itself a Fundamental right, that Fundamental Right must be subject to the restriction on the basis of compelling public interest".[14]

Telephonic Tapping is a Serious Invasion of an Individual's Right to Privacy

In a historic Judgement in *People's Union for Civil Liberties v. Union of India*[15], the Supreme Court has held that telephone tapping is a serious invasion of an individual's right to privacy which is part of the right to "life and personal liberty" enshrined under Article 21 of the Constitution, and it should not be resorted to by the State unless there is public emergency or interest of public safety requires. In this petition, the petitioner has challenged the Constitutional validity of Section 5 of the Indian Telegraph Act, 1885 which authorizes the Central or the State Government to resort to phone tapping in the circumstances mentioned therein. The writ petition was filed in the wake of the report on "Tapping of Politician Phones" by the Central Bureau. The Court has laid down the following procedural safeguards for the exercise of power under Section 5(2) of the Indian Telegraph Act, which provides, *"An order for telephone tapping can be issued only by the Home Secretary of the Central Government or the State Governments. The copy of the order shall be sent to the review committee within one week of the passing of this order. The use of the intercepted material shall be limited to the minimum that is necessary for terms of Section 5(2) of the Act*."[16] The Division Bench of the Supreme Court headed by Justice Kuldeep Singh and Justice S.Sagir Ahmad will go a long way in protecting the right to privacy of Indian citizens and others enshrined under Article 21 of the Constitution. The Court noted that with the growth of highly sophisticated communication technology the right to hold the telephone conversation in the privacy of one's home or office without interference is increasingly susceptible to abuse.[17]

In *R.M Malkani v. the State of Maharashtra,*[18] The Supreme Court stated that the Courts against wrongful or high-handed interference would protect the telephonic conversation of an innocent person by tapping of the conversation by the police. However, the protection is not for the guilty against the efforts of the police to vindicate the law.[19]

"**Right to Privacy" Meant a "Right to be Let Alone"**

The Supreme Court explained the scope of the "right to privacy" which was held to be implicit in the right to life and personal liberty guaranteed under Article 21 in *R. Rajagopal v. State of Tamil Nadu*[20]. The Court held that the "right to privacy" meant "a right to be let alone". The Court observed:

> *"A citizen has a right to safeguard the privacy of his own, his family, marriage, procreation, motherhood, child-bearing and education among other matters. None can publish anything concerning the above matters without his consent- whether truthful or otherwise and whether laudatory or critical. If he does so, he would be violating the right to privacy of the person concerned and would be liable in an action for damages."*

However, a position may have differed if he voluntarily puts into controversy or voluntarily invites or raises a controversy.[21]

Disclosure of Dreadful Disease like AIDS by the Doctors Had Not Violated the Right to Privacy of Patient

The Supreme Court has held that although the "right to privacy" is a fundamental right under Article 21 of the Constitution it is not an absolute right and restrictions can be imposed on it for the prevention of crime, disorder or the protection of health or morals or protection of rights and freedom of others.[22] In *"X v. Hospital 'Z'* [23] the question before the Supreme Court was whether the disclosure by the Doctor that his patient, who was to get married has tested HIV positive, would be violative of the patient's 'right to privacy' an essential component of the right to life envisaged by Article 21. The Division Bench of the Supreme Court ruled that the right to privacy was not absolute and might be lawfully restricted. The Court explained that,

> *"The right to life of the lady with whom the patient was to marry would positively include the right to be told that a person, with whom she was proposed to be married, was the victim of a deadly disease, which was sexually communicable. Since "right to life" included right to lead a healthy life so as to enjoy all faculties of the human body in their prime condition, the Court held that the doctors by their disclosure that the patient was HIV positive could not be said to have, in any way, either violated the rule of confidentiality or the right to privacy."*[24]

The Right to Privacy Have Several Aspects

There are many aspects of the right to privacy. One such aspect is the right to procreate, the right to use condoms, the right of a woman to abort, all these falls within the ambit of the right to privacy. In *Roe v. Wade*, the U.S Supreme Court has ruled that the right to have an abortion is a fundamental constitutional right of privacy of the women and the State can interfere with such a right only to promote some compelling interest of the State, e.g., the health of the women seeking an abortion. The U.S Supreme Court further observed, "The *Constitution does not explicitly mention any right of privacy. In a line of decisions, however, the Court has recognized that a right of personal privacy, or a guarantee of certain areas or zones of privacy, does exist under the Constitution."* [25] Similarly, the Andhra Pradesh High Court has observed in *B.K Parthasarathi v. State of Andhra Pradesh*[26] "the right to make a decision about reproduction is essentially a very personal decision either on the part of the man or women. Such a right includes the right not to reproduce. The intrusion of the state into such a decision-making process of the individual is scrutinized by the constitutional courts both in this country and in America with great care."

In another case, the Supreme Court protected the right to privacy a prostitute. The Court held that even a woman of easy virtue is entitled to her privacy and no one can invade her privacy as and when he likes.[27] In *Surjit Singh Thind v. Kanwaljit Kaur*[28] the Punjab and Haryana High Court has held that allowing medical examination of a woman for her virginity amounts to the violation of her right to privacy and personal liberty, which is enshrined under Article 21 of the Constitution of India.

Right to Privacy is a Fundamental Right: New Dimensions

The Hon'ble Supreme Court laid down new dimensions of the right to privacy in *Justice K. S Puttaswamy (Retd.), and another's v. Union of India and Others*[29]. On August 24, 2017, A nine-judge Constitution Bench of the Supreme Court in this case observed that the right to privacy is inalienable and basic right which is covered under the right to life and liberty. Therefore, this right is inherently protected because it is derived under the Part III of the Constitution of India. In this Judgement the then Chief Justice of India Justice J.S Khehar asserted that the Court had overruled its own earlier eight-judge Bench and six Judge Bench judgements of *M.P Sharma and Kharak Singh case* which was pronounced in the year 1954 and 1961 respectively.[30]

The Hon'ble Supreme Court further analyses the Jurisprudential aspect of the right to privacy by referring Austin's lectures on Jurisprudence (1869) in the 32 Para of this judgement which distinctions the public and private realms i.e., *Jus Publicum and Jus Privatum*, in the following words:-

> *"The distinction between the public and private realms has its limitations. If the reason for protecting privacy is the dignity of the individual, the rationale for its existence does not cease merely because the individual has to interact with others in the public arena. The extent to which an individual expects privacy in a public street may be different from that which she expects in the sanctity of the home. Yet if dignity is the underlying feature, the basis of recognizing the right to privacy is not denuded in public spaces. The extent of permissible state regulation may, however, differ based on the legitimate concerns of governmental authority."*[31]

Following are some new dimensions regarding the Right to privacy as per the above –mentioned Judgement: -

Right to Privacy is a Natural and Inalienable Right

In *Justice K. S Puttaswamy (Retd.), and another's v. Union of India and Others*[32] the Supreme Court elaborately analyze the aspect that the right to privacy is a natural and inalienable right with the assistance of various international instruments such as *American Declaration of Independence 1776, Declaration of the Rights of Man and of the Citizen, 1789.* In this regard, the Court also analyses the views of *John Locke* who was a supporter of personal liberties, *William Blackstone(1765)* views regarding *'natural liberty'*, *Roscoe Pound*(1921), in his work titled *"The Spirit of the Common Law"* ascertains the meaning of natural right. Roscoe Pound asserted that the law should protect the private interest of the individual such as individual's interest of personality, right to privacy,

interests of physical integrity etc. The 44th Para of this judgement declares that:-

> *"Natural rights are not bestowed by the state. They inhere in human beings because they are human. They exist equally in the individual irrespective of class or strata, gender or orientation."* [33]

The Right to Privacy is an Element of Human Dignity

In *Justice K. S Puttaswamy (Retd.), and another's v. Union of India and Others*[34] the Supreme Court elaborately analyze the aspect that the right to privacy is an element of human dignity in Para 113. The Supreme Court clearly declares:

> *"The sanctity of privacy lies in its functional relationship with dignity. Privacy ensures that a human being can lead a life of dignity by securing the inner recesses of the human personality from unwanted intrusion. Privacy recognizes the autonomy of the individual and the right of every person to make essential choices which affect the course of life."*

The Law Regarding Right to Privacy Cannot Negate the Rationale for a Constitutional Right or Renders the Constitutional Right Unnecessary

In *Justice K. S Puttaswamy (Retd.), and another's v. Union of India and Others*[35] the Supreme Court clearly points out in Para 153 that:

> *"When a right is conferred with an entrenched constitutional status in Part III, it provides a touchstone on which the validity of executive decision making can be assessed and the validity of the law can be determined by judicial review. Entrenched constitutional rights provide the basis of evaluating the validity of the law. Hence, it would be plainly unacceptable to urge that the existence of law negates the rationale for a constitutional right or renders the constitutional right unnecessary."*

In this regard, the Court also asserted that Section 8(1) (j) of the Right to Information Act, 2005 also contains the provision in which it provides that such a information cannot be disclosed which would cause an unwarranted invasion of the privacy of the individual.

Right to Privacy is Not Just a Common Law Right

In this regard, the Union Government argued that the right to privacy is just a common law right. In *Justice K. S Puttaswamy (Retd.), and another's v. Union of India and Others*[36] the Supreme Court clearly points out in Para 158 of this judgement that the right to privacy is not merely a common law right because,

> *"The Constitution recognizes the right simply because it is an incident of a fundamental freedom or liberty which the draftsperson considered to be so significant as to require constitutional protection. Once privacy is held to be an incident of the protection of*

life, personal liberty and of the liberties guaranteed by the provisions of Part III of the Constitution, the submission that privacy is only a right at common law misses the wood for the trees."

Furthermore, the Supreme Court asserted that the Constitutional rights covered both negative and a positive freedom.

- **Positive Freedom:** The Positive freedom enforces the State to adopt suitable measures in order to protect the individual privacy.[37]
- **Negative Freedom:** On the other hand, negative freedom provides protection to the individuals from unwanted interferences.[38]

Essential Postulates of Privacy

In *Justice K. S Puttaswamy (Retd.), and another's v. Union of India and Others*[39] the Supreme Court clearly points out in Para 168 of this judgement discusses the aspect of essential notions of privacy which are as follows:-

- The right to privacy includes the right to be let alone.[40]
- The aspect right to privacy enables the individual to assert and control the human element, which, is inseparable from the personality of the individual.[41]
- The autonomy of the individual is associated with matters, which can be kept private.[42]
- The right to privacy helpful to an individual to develop their personalities. Therefore, the right to privacy is an important element of human dignity. Right to Privacy enables each individual to take crucial decisions, which find expression in the human personality. [43]
- The right to privacy empowers individuals in order to preserve their beliefs, thoughts, expressions, ideas, ideologies, preferences and choices against the societal demands of homogeneity. The right to Privacy postulates empowers the individual in order to retain the autonomy of the body and mind.[44]
- Right to Privacy constitutes the foundation of all liberty.[45]

- Therefore, while analyzing the aspect of the right to privacy of an individual, both the subjective as well as objective principles of privacy, which defines the reasonable expectations of the individual, should be considered.[46]

Requirement of Informational Privacy or Online Privacy

In *Justice K. S Puttaswamy (Retd.), and another's v. Union of India and Others*[47] the Supreme Court clearly points out in Para 171, 173 of this judgement discusses the aspect of informational privacy of an individual person. Because in the modern technological era everyone uses the internet in order to communicate, to buy goods and services, to browse the internet in order to trace any information, to send e-mails, net-banking, online payments etc. Therefore, the various internet sites install cookies, which can tag browsers for unique identified numbers. Due to the above-mentioned reasons, the informational privacy of an individual is very important in these areas. The Supreme Court asserted that:

> "*The balance between data regulation and individual privacy raises complex issues requiring delicate balances to be drawn between the legitimate concerns of the State on one hand and individual interest in the protection of privacy on the other."*[48]

Furthermore, the Supreme Court asserted that except the matters regarding national security the state might have justifiable reasons while collecting and storing the data. In a social welfare state, the government launches welfare programmes, which are beneficial for the marginalized sections of the society.[49] Therefore, while legitimate Allocation of resources for human development, and then the data collection should be properly deployed in order to allocate such resources to legitimate beneficiaries. However, in all this process the State shall utilize such collected data for the legitimate purpose only.[50] The Court further asserts that the government has considered the process of reviewing the whole data protection system. [51]

CONCLUSIONS

Overall, in the recent landmark above-mentioned judgement[52], the Hon'ble Supreme Court clearly laid down that the right to privacy is a fundamental right. In this regard, the Supreme Court overruled its earlier judgements such as M.P Sharma (1958) and Kharak Singh (1961) which prescribes that the right to privacy is not guaranteed by the Indian Constitution. The Supreme Court asserted that the right to privacy is a fundamental right, inalienable and inherent right under Article 21 of the Constitution of India. These rights are inherent rights. Dignity and equality among the individuals is the foundation stone of the Indian Constitution. Therefore, the right to privacy is an important right within the ambit of Article 21, which is enshrined under part III of the Constitution of India. The Supreme Court considered that the right to privacy have both the positive and negative aspects. Therefore, the right to privacy covers the family life of an individual,

marriage, reproduction, home and sexual orientations of an individual. No one can interfere in these matters.

The modern technological era has also been raised many questions of one's privacy. This regard, the Court asserted that the while making any welfare schemes for the benefit of peoples the Union Government carefully prepares the data protection schemes in order to ensure one's right to privacy.

REFERENCES

1. *H.O Aggarwal. International Law and Human Rights (Allahabad: Central Law Publication, 2006) 886.*
2. *Retrieved from https://www.crin.org/en/home/rights/convention/articles/article-16-protection-privacy, visited on August 18, 2018*
3. *410 US 113.*
4. *M P Jain. Indian Constitutional Law (Nagpur: LexisNexis Butterworths Wadhwa, 2012) 1237.*
5. *M P Jain. Indian Constitutional Law (Nagpur: LexisNexis Butterworths Wadhwa, 2012) 1236.*
6. *AIR 1963 SC 1295*
7. *M P Jain. Indian Constitutional Law (Nagpur: LexisNexis Butterworths Wadhwa, 2012) 1236.*
8. *AIR 1963 SC 1295*
9. *H.O Aggarwal. International Law and Human Rights (Allahabad: Central Law Publication, 2006) 886.*
10. *AIR 1963 SC 1295*
11. *Ibid.*
12. *AIR 1975 SC 1378*
13. *Ibid , Source: M P Jain. Indian Constitutional Law (Nagpur: LexisNexis Butterworths Wadhwa, 2012) 1236*
14. *Ibid.*
15. *AIR 1997 SC 568*
16. *Ibid.*
17. *Ibid, Source: J.N Pandey. Constitutional Law of India (Allahabad: Central Law Agency, 2006) 230.*
18. *AIR 1973 SC 157*
19. *M P Jain. Indian Constitutional Law (Nagpur: LexisNexis Butterworths Wadhwa, 2012) 1239*
20. *AIR 1995 SC 264, Source: Narender Kumar. Constitutional Law of India (Faridabad: Allahabad Law Agency, 2006) 311 .*
21. *Ibid.*
22. *J.N Pandey. Constitutional Law of India (Allahabad: Central Law Agency, 2006) 232.*
23. *AIR 1999 SC 499 and AIR 2003 SC 664.*

24. *Ibid.*
25. *M P Jain. Indian Constitutional Law (Nagpur: LexisNexis Butterworths Wadhwa, 2012) 1237*
26. *AIR 2000 AP 156, at 159 ,Source: Ibid*
27. *State of Maharashtra v. Madhukar Narayan Mardikar, AIR 1999 SC 495*
28. *AIR 2003 P&H 353*
29. *WRIT PETITION (CIVIL) NO 494 OF 2012 retrieved from https://www.thehindu.com/news/national/article19551816.ece/BINARY/RightToPrivacyVerdict , visited on August 19, 2018*
30. *Retrieved from https://www.thehindu.com/news/national/privacy-is-a-fundamental-right-under-article-21-rules-supreme-court/article19551224.ece visited on August 19, 2018*
31. *WRIT PETITION (CIVIL) NO 494 OF 2012 retrieved from https://www.thehindu.com/news/national/article19551816.ece/BINARY/RightToPrivacyVerdict , visited on August 19, 2018*
32. *Ibid*
33. *Ibid*
34. *WRIT PETITION (CIVIL) NO 494 OF 2012 retrieved from https://www.thehindu.com/news/national/article19551816.ece/BINARY/RightToPrivacyVerdict , visited on August 19, 2018*
35. *Ibid*
36. *Ibid*
37. *WRIT PETITION (CIVIL) NO 494 OF 2012 retrieved from https://www.thehindu.com/news/national/article19551816.ece/BINARY/RightToPrivacyVerdict , visited on August 19, 2018*
38. *Ibid*
39. *Ibid*
40. *Ibid*
41. *Ibid*
42. *Ibid*
43. *Ibid*
44. *Ibid*

45. *Ibid*
46. *Ibid*
47. *Ibid*
48. *Para 176, Justice K. S Puttaswamy (Retd.), and another's v. Union of India and Others, WRIT PETITION (CIVIL) NO 494 OF 2012 retrieved from https://www.thehindu.com/news/national/article19551816.ece/BINARY/RightToPrivacyVerdict , visited on August 19, 2018*
49. *Para 181, Ibid*
50. *Ibid*
51. *Para 185, Ibid*
52. *Justice K. S Puttaswamy (Retd.), and another's v. Union of India and Others, WRIT PETITION (CIVIL) NO 494 OF 2012 retrieved from https://www.thehindu.com/news/national/article19551816.ece/BINARY/RightToPrivacyVerdict , visited on August 19, 2018*