



**CAMPUS LAW CENTRE
FACULTY OF LAW, UNIVERSITY OF DELHI**



Report
INTERNATIONAL WEBINAR

Right to Privacy: Pre and Post Puttaswamy
in association with
All India Law Students Federation

KEYNOTE SPEAKER: Adv. Gautam Bhatia, Constitutional Law Scholar, Oxford University

MODERATOR: Ms. Anumeha Mishra, Asst. Professor, Campus Law Centre, University of Delhi

COORDINATOR: Mr. Jai Prakash Meena, Asst. Professor, Campus Law Centre, University of Delhi

DATE: 1st June 2020

TIME: 5:00 P.M. – 6:30 P.M.



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The discussion in this webinar revolved around the evolution of the law on the Right to Privacy in India, specifically in the light of the recent judgment of the Supreme Court of India, [Justice K.S. Puttaswamy \(Retd.\) v. Union of India](#). The Keynote Speaker for the webinar was Adv. Gautam Bhatia, Constitutional Law Scholar at Oxford University.

Adv. Bhatia began by tracing the evolution of Right of Privacy in the United States in the 19th century. He discussed how the concept shifted its focus from 'space based' to be 'institution based'. In the 1970s the courts began to move beyond both the aforesaid concepts to the concept of privacy of 'individuals'. The dissenting opinion of Justice Subba Rao, a staunch defender of civil rights in [Kharak Singh v. State of U.P.](#), held that a petitioner under the shadow of surveillance is deprived of his freedom of movement. The 1990 decision in the case of [Gobind v. State of M.P.](#), adopted the above view without specifically commenting on whether it overruled *Kharak Singh*. The decisions that followed thereafter including the [R.Rajagopal v. State of Tamil Nadu](#), [District Registrar and Collector, Hyderabad v. Canara Bank case](#) and [Selvi v. State of Karnataka](#) upheld the view as laid down in *Kharak Singh*. In 2017, the 9-judge bench in the *Puttaswamy* case in a challenge to the Aadhar linking project held that the right to privacy was a fundamental right guaranteed under the Constitution of India. It upheld the view laid down in *Gobind's* case and the decisions thereafter on right to privacy. It also discussed the four-prong standard of proportionality as laid down in the case of [State of Madras v. V.G Row](#).

The webinar was moderated by *Ms. Anumeha Mishra, Asst. Professor, Campus Law Centre*. The webinar ended with a 45 minutes interactive Q&A session with the attendees. This webinar was organized by *Mr. Jai Prakash Meena, Asst. Professor, Campus Law Centre* in association with *All India Law Students Federation*.