We welcome the significant verdict. The government should take it positively and amend its position (on the issue)... It should respect the right to privacy, right to dignity and life

D. RAJA
CPI national secretary

Government of India was ill-advised to oppose this right to privacy for the reasons that today, more than anytime in the past, the individual's privacy needs to be protected but no right is absolute

KAPIL SIBAL
Congress leader

The judges' unanimous verdict is a setback to the Centre that said in court that there could be no fundamental right to privacy. Aadhaar, as conceived by UPA, posed no challenge to the right to privacy

P. CHIDAMBARAM
Congress leader

These are the moments that make India. There's nothing vague or amorphous about the apex court's verdict on the matter. People thank the Honourable Judges

KAMAL HAASAN
Actor

The Supreme Court has no power to engraft more fundamental rights in the Constitution. The right belongs to the Parliament, to make the law, amend the law, repeal the law

MUKUL ROHATGI
Former Attorney General

I welcome the SC verdict upholding the right to privacy as an intrinsic part of individual's liberty, freedom and dignity. The SC decision marks a major blow to fascist forces

RAHUL GANDHI
Congress vice-president

A victory for all citizens, say legal luminaries

Sanjay Hegde calls it a watershed moment; K.T.S. Tulsi says the ruling prevented the govt. from becoming totalitarian

SOBHANA K NAIR
NEW DELHI

Legal luminaries and experts hailed Thursday's Supreme Court judgment as victory for common citizens which would have a far-reaching impact on almost all aspects of life.

Senior lawyer Sanjay Hegde said it was a watershed moment.

"I believe that this is the most significant judgment after Kesavananda Bharati case. With this judgment the court has overruled a lot of early disastrous decisions. [The] SC has broadly laid down the constitutional principle which every High Court should now take into account," Mr. Hegde said.

Many of the previous judgments would have to be revisited in the light of the verdict.

"Today's judgment has prevented [the] government from going on slippery slope of totalitarianism. In a democratic society, as per rule of law my house is my castle. Now after this judgment, my own body and mind is mine. The government can't tell me what to eat or what to wear. As long as I do not break a law they can't intrude," senior lawyer K.T.S Tulsi told *The Hindu*.

K.T.S. Tulsi

Mukul Mudgal

The unanimity of the nine-member bench was also landmark, said Justice (retired) Mukul Mudgal.

"It preserves the individuality of a person. But what is more interesting is that all the nine judges were on same page with regard to right to privacy as integral fundamental right," Justice Mudgal said.

Impact on surveillance

Another important implication was in terms of government surveillance. "The judgment will have wide ranging impact. It will control how and whether government can read our email, listen to phone calls, how our data is used. It will also bear on whether married women will have the right not to get raped in marriage, after all women's right to bodily integrity is privacy of the body," senior lawyer Karuna Nundy said.

Not everyone believed that the judgment was significant.

Former Supreme Court Judge K.T. Thomas said the judgement had merely made an interpretation.

"Right to privacy was earlier a common law which through today's judgment has transformed into fundamental right. It has now been brought under the ambit of Section 19 and 21 of the Constitution," he said.

INTERVIEW: K.S. PUTTASWAMY

'Now we can enjoy privacy as a right'

Petitioner welcomes SC verdict

AVINASH BHAT

The original petitioner in the right to privacy case is a happy man after Thursday's verdict from the Supreme Court. In 2012, Justice (retd) K.S. Puttaswamy had approached the Supreme Court as petitioner in a case which has seen several landmark judgments. ***The Hindu*** *spoke to Justice (retd) Puttaswamy following the verdict.*

How will the judgment of the Supreme Court change the life of an individual citizen?

■ So far, the right to privacy has been denied and people had not experienced it. The concept of privacy of an individual and its progress with this judgment is a matter of great significance as citizens of India today have the right to privacy as a fundamental right – something that people have not enjoyed so far.

What are your thoughts on the arguments for the right to privacy as a fundamental right?

■ The Constitution makers never thought of privacy as not being a fundamental right. Somewhere it got bogged down. It has been corrected today by the Supreme Court.

How do you think the judgment will impact the Aadhaar Act?

■ There are some impressions that the Aadhaar Act gets ipso facto (by that very fact or act) in-validated by the right to privacy being upheld by the Supreme Court. In my view, this is not the correct proposition. Aadhaar is a different topic but it will definitely be impacted by the judgment, but how [it] is too early to say. The Government says that Aadhaar Act is necessary for several purposes, including security. There must be something in their argument but we cannot accept it in entirety.

What are your views on privacy?

■ Privacy cannot be absolute in a civil society governed by the rule of law. There is nothing like absolute rights. However, this is the most important issue for the courts... No court can compel a sovereign legislature to do this or not do that. We can certainly request the Central government to enact a comprehensive law.

You recently applied for an Aadhar card; what was your experience?

■ I applied after the Supreme Court upheld the linking of Aadhaar with the PAN. The process took around 45 minutes.

Protect privacy of children: Justice Kaul

'In both virtual world and real world'

PRESS TRUST OF INDIA
NEW DELHI

Privacy of children requires special protection in a digital age so they are not subjected to consequences of their mistakes and naivety, the Supreme Court on Thursday said.

Justice Sanjay Kishan Kaul, in his 47-page separate but concurring judgement holding that right to privacy is a fundamental right, also observed that children are perpetually creating digital footprints on social networking websites as they learn their ABCs – "Apple, Bluetooth and Chat".

"Children around the world create perpetual digital footprints on social network websites on a 24/7 basis as they learn their 'ABCs': Apple, Bluetooth, and Chat followed by Download, E-Mail, Facebook, Google, Hotmail, and Instagram. "They should not be subjected to the consequences of their childish mistakes and naivety their entire life. Privacy of children will require special protection not just in the context of the virtual world, but also the real world," Justice Kaul said.

Sanjay Kishan Kaul

The judge observed that technology results almost in a sort of a permanent storage in some way or the other making it difficult to begin life again giving up past mistakes. The SC ruled that "right to privacy is an intrinsic part of Right to Life and Personal Liberty.

LGBT community cheerful

Right to privacy can't be denied 'even if a small fraction of population is affected'

SPECIAL CORRESPONDENT
NEW DELHI

Bringing hope and cheer to the LGBT community, Thursday's Supreme Court judgment on the right to privacy has rekindled the possibility that Section 377 of the Indian Penal Code, which holds that gay sex is a crime, could soon be history.

Congress MP Kapil Sibal felt that the judgment had put an end to the debate on the British-era Section 377. "Sexual orientation is part of the court judgment and the debate over Section| 377 is settled," Mr. Sibal told *The Hindu*.

Section 377 of Indian Penal Code was struck down by the Delhi High Court in July 2009. However, overruling this judgment, the Supreme Court upheld Section 377 IPC in what is popularly referred to as the Kaushal judgment.

Thursday's judgment, however, said the right to privacy cannot be denied "even if a minuscule fraction of population is affected".

Bright as rainbow: A file photo of members of the LGBT community organising a 'Pride March' in Bengaluru. ▪ SUDHAKARA JAIN

"Privacy includes at its core the preservation of personal intimacies, the sanctity of family life, marriage, procreation, the home and sexual orientation... Privacy also connotes a right to be left alone."

Offensive to dignity

"It clearly states that discrimination against an individual on the basis of sexual orientation is deeply offensive to the dignity of individual. We hope that this will reinforce the Delhi High Court judgment in the Naz foundation case as the correct constitutional position," LGBT activist Gautam Bhan said.

The judgment stopped short of overruling the SC's previous order. It is for a five-judge bench, which is looking at the curative petition, to take a final call.

"The judgment has made it clear that LGBT citizens like anyone else enjoy not just the right to privacy, but right to equality, right to free expression and right to life. Today's judgment will have a wide-ranging impact but one among them is Section 377 will have to be struck down," senior lawyer Karuna Nundy said. The activists are demanding that the Supreme Court should *suo motu* revisit many of its recent judgments where privacy has been undermined.

Arun Jaitley

Jaitley to be Gujarat poll in-charge

SPECIAL CORRESPONDENT
NEW DELHI

BJP president Amit Shah on Thursday appointed Union Finance Minister Arun Jaitley as poll in-charge for Gujarat, and his Cabinet colleague and Human Resource Development Minister Prakash Javadekar as in-charge for Karnataka, and given charge of Himachal Pradesh to Social Justice and Empowerment Minister Thawarchand Gehlot.

Rural Development Minister Narendra Singh Tomar, Commerce Minister Nirmala Sitharaman, Minister of State for Personnel and Development of North East Region (DONER) Jitendra Singh and Minister of State for Law P.P. Chaudhary have also been appointed to assist Mr. Jaitley as co-incharges for Gujarat. Power Minister Piyush Goyal has been appointed co-incharge for Karnataka with Mr. Javadekar.

Gujarat is going to Assembly polls later this year as is Himachal Pradesh, with Karnataka to do so early next year. The Karnataka Assembly's term ends on May 28.

Lalu to go ahead with mega rally despite flood havoc

Mamata Banerjee and Sharad Yadav will attend the event

AMARNATH TEWARY
PATNA

Apparently stung by the ruling JD(U) and BJP's repeated demand that the RJD cancel its proposed mega rally on August 27 in Patna in view of the flood fury in the State, RJD chief Lalu Prasad on Thursday asked, "Will the flood get over if I cancel the rally?"

"Will the cancellation of the rally lessen the flood fury in Bihar? Will the floods end if I cancel my rally?" Mr. Prasad asked while addressing mediapersons in Ranchi, where he had gone to appear in a special CBI court in connection with a fodder scam case.

Neither Congress president Sonia Gandhi, nor party vice-president Rahul Gandhi will participate in the proposed *BJP bhagao, Desh bachao* (oust BJP, save the country) rally. BSP chief Mayawati too has expressed her unwillingness to join rally organized as a show of strength of all non-BJP and secular parties.

However, Bengal Chief Minister Mamata Bannerjee and JD(U) leader Sharad Yadav are said to have confirmed their participation.

"Mamataji and Sharad Yadavji are coming...I'm in touch with Farooq Abdullah and Sharad Pawar for their participation in the rally-...I've invited all like-minded parties with same ideology," he said. He also alleged that the BJP and JD(U) have deliberately fixed PM Narendra Modi's programme in Bihar on August 26 "in the name of flood review."

Legal tangle: Lalu Prasad arriving at a CBI court in connection with the fodder scam case, in Ranchi on Thursday. ▪ PTI

CPI(M) not impressed, decides to skip show

SOBHANA K NAIR
NEW DELHI

The Communist Party of India (Marxist) Polit Bureau on Thursday decided not to attend the "BJP Bhagao, Desh Bachao" rally called by Rashtriya Janata Dal president Lalu Prasad on Sunday. However, the Communist Party of India will be in attendance.

The CPI(M)'s decision, according to sources, was taken after conferring with the Bihar unit of the party. During the meeting, it was argued by some members that merely standing together with "secular" parties will not be enough to counter the BJP. Earlier, Congress president Sonia Gandhi and BSP chief Mayawati conveyed their inability to participate. The Congress, however will be sending a delegation of leaders including Bihar in-charge C.P. Joshi.

"It is a purely political platform, had they formulated it as an anti-communal platform bringing in apolitical persons too it would have made sense to participate. We have no compulsion to stand with parties like the Trinamool Congress to put up an united face," said a Polit Bureau member.

The CPI(M)'s organ *People's Democracy*, edited by former general secretary Prakash Karat, in its last edition had argued that "putting together an alliance of a motley bunch of secular parties" will not help in countering the BJP. "The Modi government and the BJP are pursuing neo-liberal policies and the Hindutva communal agenda. So, to take the struggle forward against the Centre, there has to be a fight against both the neo-liberal policies and the communal onslaught," the editorial said.

On Doklam, Nepal walks a tightrope

PM Sher Bahadur Deuba says won't allow territory to be used against India

SUHASINI HAIDAR
KALLOL BHATTACHERJEE
NEW DELHI

The two-month old standoff between India and China at Doklam did not feature in the official talks between visiting Nepali Prime Minister Sher Bahadur Deuba and PM Modi, said officials, but India-China tensions were the highlight of an event that followed, where Mr. Deuba and several Ministers were present.

'No China threat'

"We have excellent relations with China and don't face problems from them," Mr. Deuba told an audience at the event organised by the India Foundation here.

Crucial talks: Narendra Modi,right, with Sher Bahadur Deuba at Hyderabad House in New Delhi on Thursday. ▪ V. SUDERSHAN

"India need not have any apprehensions about that. However, under no circumstances would Nepal allow its soil to be used against India," he added.

Mr. Deuba was responding to a speech by Consumer Affairs Minister Ram Vilas Paswan, who had alluded to problems that Nepal could face from its strong northern neighbour. "India is willing to help Nepal any time, in any manner required," Mr. Paswan said.

Referring to the strain in ties between India and Nepal in 2015, when a blockade during protests by Madhesi groups at the India Nepal border had cut essential goods and fuel supplies to Kathmandu, Mr. Paswan said these were common in "families".

Mr. Deuba's comments reflect the tightrope that Nepal has been attempting to walk in the past few months, especially after it joined China's Belt and Road Initiative, which India had rejected.

Stir in Valley over Article 35A

Separatists roll out a five-day protest programme

PEERZADA ASHIQ
SRINAGAR

With five days to go for the Supreme Court hearing on Article 35A, protests are gaining ground in the Kashmir Valley with the separatists rolling out a five-day protest programme.

Supporting the protest call, Kashmir Traders'-Manufacturers' Federation and Kashmir Economic Alliance president Muhammad Yaseen Khan said, "We are ready to face bullets in order to protect the special status of Jammu and Kashmir. It will be an all out war if the Centre scraps Article 35A. It is a matter of life and death for us."

Hurriyat chairman Mirwaiz Umar Farooq, who chaired a meeting in Srinagar, described any attempt to revoke Article 35A as "ploy to change the demographic character of J&K."

In protest: Kashmiri villagers shout slogans during a funeral procession in Kupwara district. ▪ SPECIAL ARRANGEMENT

Special prayers

"It will have a direct bearing on the struggle for right to self-determination guaranteed by India at the United Nations and ratified by the world body," said the Mirwaiz. The Mirwaiz, who is holding "special prayers" at the Jamia Masjid in Srinagar on Friday, warned that "in case of any order against on Article 35A, all of us, irrespective of age and religion, will be out on the streets."

Clashes in J&K over civilian death

SPECIAL CORRESPONDENT
SRINAGAR

Violence broke out in Kupwara's Handwara area on Thursday as a "militant" killed two days ago in an operation turned out to be a civilian. Following violent protests, a magisterial inquiry has been ordered into the incident.

The bullet-ridden body of Shahid Ahmad Mir, son of Bashir Ahmad Mir, a resident of Daril Tarathpor Ramhal, was spotted by the police in Hafruda forest range, where the army launched an operation on Monday. "Scores of locals were injured on Thursday when the protests broke out during funeral prayers. Three protesters suffered pellet injuries too.