

Need for Privacy in the Technological Era: An Analysis in the Indian Perspective

Authors : Amrasha Singh

Abstract : In the digital age and the large cyberspace, Data Protection and Privacy have become major issues in this technological era. There was a time when social media and online shopping websites were treated as a blessing for the people. But now the tables have turned, and the people have started to look at them with suspicion. They are getting aware of the privacy implications, and they do not feel as safe as they used to initially. When Edward Snowden informed the world about the snooping United States Security Agencies had been doing, that is when the picture became clear for the people. After the Cambridge Analytica case where the data of Facebook users were stored without their consent, the doubts arose in the minds of people about how safe they actually are. In India, the case of spyware Pegasus also raised a lot of concerns. It was used to snoop on a lot of human right activists and lawyers and the company which invented the spyware claims that it only sells it to the government. The paper will be dealing with the privacy concerns in the Indian perspective with an analytical methodology. The Supreme Court here had recently declared a right to privacy a Fundamental Right under Article 21 of the Constitution of India. Further, the Government is also working on the Data Protection Bill. The point to note is that India is still a developing country, and with the bill, the government aims at data localization. But there are doubts in the minds of many people that the Government would actually be snooping on the data of the individuals. It looks more like an attempt to curb dissenters 'lawfully'. The focus of the paper would be on these issues in India in light of the European Union (EU) General Data Protection Regulation (GDPR). The Indian Data Protection Bill is also said to be loosely based on EU GDPR. But how helpful would these laws actually be is another concern since the economic and social conditions in both countries are very different? The paper aims at discussing these concerns, how good or bad is the intention of the government behind the bill, and how the nations can act together and draft common regulations so that there is some uniformity in the laws and their application.

Keywords : Article 21, data protection, dissent, fundamental right, India, privacy

Conference Title : ICMLR 2021 : International Conference on Media Law and Regulations

Conference Location : New York, United States

Conference Dates : January 28-29, 2021