
INTERNATIONAL JOURNAL OF ADVANCED LEGAL RESEARCH

RIGHT TO PRIVACY IN THE DIGITAL ERA- Anjali Pandey¹**Introduction**

Science has become the predominant mode of thinking, offering solutions to a wide array of problems across various domains. While scientific advancements have driven societal progress, they have also led to the creation of surveillance tools, posing threats to privacy. This duality sparks debates on whether science benefits or harms humanity. In the age of information, vast amounts of data are generated through our activities, presenting both opportunities and risks. The protection of privacy is crucial, particularly against state and non-state entities that may exploit personal data. Legislative measures are necessary to safeguard privacy rights and curb potential violations by governments and non-state actors, ensuring that citizens' privacy acts as a check on their power.²

The image below illustrates the extent of data collection by these applications and websites.

¹ Student at Amity Law School, Noida

²*Right to privacy in digital era: A study with Indian context* Legal Service India - Law, Lawyers and Legal Resources. Available at: <https://www.legalserviceindia.com/legal/article-5404-right-to-privacy-in-digital-era-a-study-withindian-context.html> (Accessed: 28 April 2024).

Modern Threats to the Right to Privacy

Advancements in science and technology pose a growing threat to privacy rights, leading to constant monitoring and blatant violations. While crucial for societal progress, these advancements also serve counterterrorism efforts. However, ensuring the responsible use of technology is essential to safeguard individual freedoms in democratic societies. Balancing technological surveillance needs with privacy protection remains a critical challenge for governments.

- **Recording Methods**

The proliferation of covert surveillance devices, including telephoto lenses and microphones⁴, poses a significant threat to privacy rights, enabling intrusive monitoring without consent. Such invasive practices can lead to various illegal activities, such as blackmail and espionage, undermining individuals' privacy. Although laws and regulations seek to control the use of such devices, their misuse remains a challenge, especially in areas like family disputes, corporate espionage, and private investigations. Balancing national security concerns with privacy rights is crucial, necessitating careful regulation and enforcement measures to prevent abuse.⁵

- **Optical Devices**

Optical devices, including telescopes and hidden cameras, have facilitated privacy intrusions by capturing images of people, objects, and documents without consent. These devices, such as spy hidden cameras and CCTV systems, enable covert surveillance and information gathering, which can be misused by malicious individuals and investigative journalists. While optical gadgets were initially intended for recreational or photographic purposes, their misuse raises concerns about privacy violations and the need for appropriate regulations. Government agencies may also employ these tools for emergency situations, emphasizing the importance of balancing security needs with privacy rights.⁶

<https://www.komando.com/security-privacy/data-grabbing-apps/762166/> (Accessed: 28 February 2024).

⁴ Bishop, 'Privacy v. Protection', The Bugged Society, Assembly for Human Rights, Montreal, 1968

⁵ Pierre Juvigny, "Modern Scientific and Technical Developments and their Consequences on the Protection of the Right to Respect for a person's Private and Family Life, his Home and Communications", in A. H. Robertson (ed.), op.cit., pp.129-138 at p.132

⁶ R. V. Jones, "Some Threats of Technology to Privacy", in A. H. Robertson (ed.), op.cit., pp.139- 162 at pp.143-144

For general queries or to submit your research for publication, kindly email us at editorial@ijalr.in

<https://www.ijalr.in/>

- **Acoustic Devices**

Sound has emerged as a potent means of gathering information, with devices like microphones enabling eavesdropping on conversations. Acoustic devices, including those utilizing radar and laser technology, have become more sophisticated, posing greater threats to privacy. While espionage and surveillance were once deemed necessary for national security, modern society rejects such invasions of privacy. However, advancements in tracking, phishing, and hacking pose additional risks to personal privacy.⁷ Despite their societal benefits, contemporary optical and audio technologies can be exploited for nefarious purposes, warranting legal safeguards against privacy violations.

Some Common threats to Data Privacy in the Modern World

- **Police Records**

Maintaining automated data files of individuals as police records post-conviction poses risks of misuse, potentially compromising justice administration and admissibility of evidence. Unauthorized disclosure of such information can violate privacy rights and expose individuals to financial exploitation or defamation. Confidentiality of these records is imperative to safeguard individuals' privacy and prevent unwarranted repercussions.

- **Medical Records**

Health records, akin to police records, are maintained for future medical reference, and their misuse by outsiders must be prevented. Unauthorized release of medical records to the media can lead to defamation and violate patient privacy rights. Medical records should be protected under the fiduciary relationship between patients and practitioners, as well as the principle of professional privacy. Breach of medical privacy can result in severe consequences such as marital issues, job loss, or disruption of personal life. Recent cyberattacks on medical servers⁸, like the one on

⁷ Supra at note 160

⁸ *AIIMS servers hacked, 1.3 TB data encrypted in recent cyberattack, Govt tells rs* (no date) *The Wire*. Available at: <https://thewire.in/government/aiims-servers-cyberattack-ransomware-rajya-sabha> (Accessed: 28 January 2024).

AIIMS, highlight the vulnerability of digital medical infrastructure⁹ and the need for government intervention to ensure its security and protect individuals' data privacy.

- **Intelligence reports, Online Databases, and Computers**

Today, the extensive collection of personal data poses a significant threat to privacy and individual freedoms. Various records, including birth certificates, employment history, financial information, and arrest records, are meticulously maintained by both government agencies and private organizations. These comprehensive dossiers can be accessed and used to make important decisions regarding employment, access to services, and financial matters without the individual's knowledge. However, while advancements in data collection have provided unprecedented access to information, they also raise concerns about privacy infringement and the erosion of human rights and dignity. It is crucial to balance the benefits of data collection with the protection of individuals' privacy and fundamental freedoms.

- **Credit Reporting Agencies and Inspection Agencies Data**

Credit reporting agencies play a crucial role in modern society by providing comprehensive information about individuals' credit history, which is used by various institutions for decision-making purposes. However, the abundance of data collected by these agencies raises concerns about privacy infringement and the accuracy of information provided to third parties. While accurate and up-to-date information is essential, the indiscriminate sharing of personal data without proper consent or oversight can lead to privacy violations. Similarly, inspection companies gather vast amounts of data on individuals without proper sorting or verification, resulting in potentially inaccurate reports that can negatively impact individuals' opportunities for credit, insurance, or employment. This issue requires urgent attention to address privacy concerns and ensure the fair and accurate use of personal information.

- **Computerised Banking Informations**

The automation of banking systems has significantly streamlined financial transactions but poses a serious threat to individual privacy. Electronic records are susceptible to leaks by bank staff, leading to potential misuse of sensitive banking profiles. Unauthorized access to computerized financial accounts, whether by hackers

⁹AIIMS cyber-attack took place due to improper network segmentation: Govt in rsThe Economic Times. Available at: <https://economictimes.indiatimes.com/tech/technology/aiims-cyber-attack-took-place-due-to-improper-network-segmentation-govt-in-rs/articleshow/97805598.cms> (Accessed: 12 January 2024).

or insiders, poses grave risks to consumer privacy and can result in illegal fund transfers and financial loss for victims. Some countries have implemented Bank Secrecy Acts to safeguard banking information while allowing government access as necessary, but concerns remain about the potential for abuse and privacy violations.¹⁰ The unauthorized disclosure of banking details violates personal freedom and privacy rights, with implications for constitutional legality and democratic governance. While government access to personal banking data may be justified in certain cases for national security or law enforcement purposes, stringent safeguards must be in place to prevent abuses of power. Violations of privacy and trust, as well as criminal activities such as data theft and unauthorized use of account information, are serious consequences of breaches in banking security. Additionally, internet banking poses risks of unauthorized access to client data through compromised usernames and passwords. Recent studies and reports highlight widespread concerns about data breaches and consumer privacy violations in the banking and financial sector, with significant numbers of individuals reporting unsolicited offers for loans, insurance, and banking services based on their personal financial information.¹¹ These findings underscore the urgent need for improved data protection measures and regulatory oversight to safeguard consumer privacy in the digital age.

- **Third Party Data Selling**

The average Indian uses around 10–12 applications for various purposes, often without thoroughly reading the privacy policies, which are often drafted in complex language by legal experts hired by companies. Users are typically required to agree to these policies in order to use the apps or websites, resulting in the disclosure of their location, preferences, and browsing history. Large data extracting businesses and marketing companies analyze this data to develop strategies for selling goods and services in the future. Some companies, like Google Chrome, have adjusted their settings to give users the option to share cookies or not, while others employ tactics like presenting a small "YES" button to encourage users to quickly agree to data

¹⁰*Business news: Find latest news, trends, Stock Market, finance, Economy & Policy, company and technology.* Available at: <https://www.outlookindia.com/business/50-of-consumers-suffered-data-breach-swamped-withunwanted-offers-survey-news-238319> (Accessed: 17 March 2024).

¹¹*Business news: Find latest news, trends, Stock Market, finance, Economy & Policy, company and technology.* Available at: <https://www.outlookindia.com/business/50-of-consumers-suffered-data-breach-swamped-withunwanted-offers-survey-news-238319> (Accessed: 24 March 2024).

sharing. Australia has implemented Consumer Data Rights (CDR) laws to give consumers more control over their personal information and promote competition among service providers. However, data brokers continue to collect and sell individuals' private data, including location data, banking information, shopping preferences, and contact details, posing a serious threat to privacy rights. Despite efforts to regulate data breaches, new forms of breaches continue to emerge¹², highlighting the need for comprehensive government regulation and enforcement to protect individuals' privacy. Maintaining confidentiality is crucial in data security, as the unauthorized disclosure of sensitive information can have personal and public consequences, including public humiliation and damage to a company's reputation or market value. Therefore, robust legislation is necessary to establish and enforce confidentiality rules and practices to safeguard information privacy effectively.

International Legal Scenario on Privacy in the Scientific Era

Cutting-edge scientific technology has the potential to infringe upon an individual's right to privacy and facilitate various crimes if used without proper authorization. However, this study primarily focuses on identifying instances of privacy rights violations and proposing measures to prevent them. The legal framework designed to safeguard the right to privacy from the negative impacts of advanced technology can be categorized into three groups: local laws enacted by individual countries, regional laws applicable to specific geographical areas, and international laws governing global standards. Numerous conventions, conferences, declarations, and guidelines have been established under the auspices of the United Nations to address these issues and provide a legal framework for protecting privacy rights on an international scale. A legal theory regarding the protection of privacy rights from the implications of advanced scientific technology is outlined below:

- **The United Nations World Conference on Human Rights Instruments: The Proclamation of Teheran, 1968**

¹²Data Brokerage: How Data Brokers are selling all your personal info for less than a rupee to whoever wants it. *The Economic Times*. Available at: <https://economictimes.indiatimes.com/tech/internet/how-data-brokers-are-selling-all-your-personalinfo-for-less-than-a-rupee-to-whoever-wants-it/articleshow/57382192.cms?from=mdr> (Accessed: 10 March 2024).

The conference¹³ had two main agendas: evaluating the Universal Declaration of Human Rights (UDHR) and discussing the impact of cutting-edge technological advancements on individual privacy. Paragraph 18¹⁴ of the proclamation reflects the attendees' concern about this issue. The author of the essay aimed to safeguard everyone's privacy rights from the negative consequences of scientific and technological progress. While the right to privacy was not explicitly mentioned, the essay implied protection for readers' privacy amidst advancements in science and technology. Overall, the Teheran Proclamation has made significant efforts to safeguard privacy rights from the impacts of scientific and technological advancements.

- **The General Assembly Resolutions, 1968**

During its ninth General Assembly¹⁵ meeting on May 6, 1968, the Second Committee expressed concerns regarding the adverse effects of technological progress on privacy rights. Resolution III¹⁶ highlighted the need to consider both the positive and negative impacts of scientific advancements, acknowledging potential cultural, social, and economic benefits alongside risks to individuals' rights. The UN General Assembly emphasized the importance of protecting freedoms while safeguarding bodily and mental privacy. The Resolution emphasized the symbiotic relationship between technological development and human dignity, prioritizing privacy. Another Resolution from the same year urged the UN Secretary-General to address human rights issues related to technological advancements, echoing the concerns raised in the initial Resolution. Both Resolutions underscored the significance of protecting individuals' privacy amidst technological progress.

¹³ The United Nations World Conference on Human Rights Instruments: The Proclamation of Teheran, 1968

¹⁴ Paragraph 18 United Nations World Conference on Human Rights Instruments: The Proclamation of Teheran, 1968 “While recent scientific discoveries and technological advances have opened vast prospects for economic, social and cultural progress, such developments may nevertheless endanger the rights and freedoms of individuals and will require continuing attention”.

¹⁵ The General Assembly Resolutions, 1968

¹⁶ “. . . (ii) Recommends that the organisations of the United Nations family should undertake a study of the problems with respect to human rights arising from developments in science and technology particularly with regard to – (a) respect for privacy in view of recording techniques; (b) protection of the human personality and its physical and intellectual integrity in view of the progress in biology, medicine and bio-technology; (c) the use of electronics which may affect the rights of the person and the limits which should be placed on its uses in a democratic society; (d) and, more generally, the balance which should be established between scientific and technological progress and the intellectual, spiritual, cultural and moral advancement of humanity”

- **The Montreal Declaration**

The Montreal Declaration was established to raise awareness of the emerging risks associated with technological progress. While acknowledging the benefits of technological advancements, it also highlighted the threats they pose to individuals' rights to privacy, dignity, and other fundamental freedoms. The document aimed to propose measures for mitigating these risks, categorized into four sections. Overall, the Montreal Declaration stands as a commendable effort to safeguard the right to privacy.

The United Nations has sponsored additional international agreements that provide various protections to safeguard individuals' right to privacy against the adverse impacts of modern technological advancements.

Some of the provisions are discussed below: -

- **The 1975 Proclamation 3348** specifically addressed concerns about the loss of privacy due to recent scientific advancements and the importance of protecting individuals from the negative impacts of technology. It emphasized the need to safeguard privacy alongside morals, ethics, and individual freedoms. The 1976 Report of the United Nations Secretary-General echoed these concerns, suggesting measures to regulate various professionals, including journalists and private investigators, who often use scientific methods to gather private information. These efforts to control their actions and prevent the misuse of technology for privacy violations are commendable.

- **The ASEAN Human Rights Declaration, 2012**

Article 21¹⁷ of the ASEAN Declaration¹⁸ on Human Rights from 2012 addresses privacy rights, covering various aspects such as individual, family, house, and correspondence privacy, along with data privacy. This article stands out for its comprehensive protection of personal information against arbitrary actions, including terrorist activities. It can be seen as foundational, along with Articles 12 and 13 of the UDHR and Article 17 of the ICCPR, as it includes both personal and data privacy

¹⁷ “Every person has the right to be free from arbitrary interference with his or her privacy, family, home or correspondence including personal data, or to attacks upon that person’s honour and reputation. Every person has the right to the protection of the law against such interference or attacks”.

¹⁸ The ASEAN Human Rights Declaration, 2012

For general queries or to submit your research for publication, kindly email us at editorial@ijalr.in

<https://www.ijalr.in/>

protections. While the latter two focus solely on personal privacy, Article 21 of the ASEAN Declaration has a broader scope and application, reflecting contemporary sociocultural contexts. When compared to similar provisions in other regional instruments like the European Convention and American Declaration, Article 21's approach to data privacy is unique. The Asia-Pacific Privacy Charter shares similarities with the ASEAN Declaration but is more adaptable and under constant development. However, there is a need for enforceable legal instruments and a comprehensive regional legal framework to address issues like data theft and breaches of privacy rights caused by advanced scientific technology.

Data Protection Laws of Various Countries:

- **Australia**

Australia has emerged as a leader among Common Law countries in terms of data protection regulations. While Australian law does not offer a broad statutory or common law right to privacy, significant efforts have been made since the 1970s to standardize laws related to confidentiality.¹⁹ However, it is the information privacy provisions²⁰ that have proven most effective in safeguarding individualized privacy infringements, particularly those related to data protection. These laws serve as the primary means of protecting data and information privacy in Australia, reflecting the country's recognition of the importance of data security. Australian initiatives in this area have been successful in prioritizing data privacy over personal privacy.

- **Canada**

Canada, following the United States, is a significant Common Law country addressing data privacy regulations. Pre-Charter legislation in Canada, such as the 1983 Federal Privacy Act and 1983 Access to Information Act, demonstrates a commitment to safeguarding public access to government information and preventing the unnecessary disclosure of personal data. While the Canadian Charter of Rights and Freedoms adopted in 1982 does not explicitly cover privacy rights, judicial interpretation has indirectly supported the development of internal privacy rights. This has prompted discussions and initiatives around privacy regulations in Canada,

¹⁹ Victoria Park Racing and Recreation Grounds Co. Ltd. vs. Taylor (1937) 58 CLR 479

²⁰ of the Privacy Act, 1998, as well as the Privacy Amendment (Private Sector) Act, 2000

For general queries or to submit your research for publication, kindly email us at editorial@ijalr.in

<https://www.ijalr.in/>

highlighting the country's recognition of the importance of data protection despite ongoing challenges in fully embracing the concept of personal privacy.²¹

- **South Africa**

South Africa is a significant Common Law country concerning data protection, although the right to privacy is not explicitly addressed by law. Section 14²² of the Constitution, along with Section 32, ensures the right to access personal data, giving new significance to privacy rights. Various laws²³ have been enacted in South Africa for data privacy²⁴, including the Protection of Personal Information Act of 2013. Despite ongoing disputes and revisions, South Africa's efforts to protect information and data privacy are evident.²⁵

- **Germany**

Germany stands out as a significant civil law country concerning data protection, with detailed regulations addressing various aspects of privacy rights. The Federal Data Protection Act of 1977 is a key legislation aimed at safeguarding data and information privacy, covering the use of personal information for data processing. Additionally, State Data Protection Laws govern the public sector at the state level. Despite undergoing revisions in 2001 and 2009, the Act faces challenges in enforcement, treating data theft or infringement as a civil wrong with remedies including injunctions and compensation. Germany's efforts to enact robust data protection legislation demonstrate a commitment to securing personal data files.

²¹Dr. Sangeeta Chatterjee, Right To Privacy and Its Current Trends: A Comparative Study Under the Legal Systems of USA, UK and India, University of North Bengal, 2017

²² of the Constitution of South Africa, 1996

²³ (i) The 2002 Electronic Communications and Transactions Act is an example of the Promotion of Access to Information Act of 2002, item I Item (ii) is the National Credit Act of 2005.

(iii)Two draught legislation were produced as a result of the South African legal system's efforts to preserve data privacy:

(iv)the protection of personal information bill from 2005
and (v)the protection of (state) information bill from 2008.

²⁴C. M. van der Bank, "The Right to Privacy – South African and Comparative Perspectives," European Journal of Business and Social Sciences, Vol.1(6), October 2012, pp.77-86 at p.79, www.ejbss.com/Data/Sites/1/octoberissue/ejbss-12-1164-therighttoprivacy.pdf

²⁵Jonathan Burchell, "The Legal Protection of Privacy in South Africa: A Transplantable Hybrid," Electronic Journal of Comparative Laws, Vol.13.1, March 2009, pp.1-26 at p.12, www.ejcl.org/131-2.pdf

For general queries or to submit your research for publication, kindly email us at editorial@ijalr.in

Moreover, ongoing efforts to adopt a new Data Protection Regulation²⁶ underscore Germany's commitment to protecting personal information.

- **U.S.A**

While American privacy laws are stringent, not all aspects of the right to privacy are equally protected. Privacy rights take precedence over the right to respect for private life in the USA, leading to a lack of explicit protection for private life. However, components of private life in Europe are recognized as privacy rights in the US, receiving legislative and judicial protection accordingly.

Regarding women's privacy, although it's not explicitly protected by legislation, landmark Supreme Court cases like *Griswold v. Connecticut* have established privacy rights for married and unmarried women regarding contraceptive use and abortion. Despite the absence of formal statutes, the US judiciary has vigorously defended women's privacy rights.

In contrast, children's privacy rights in the US have received significant attention and protection, especially in online contexts, with laws like the Children's Online Privacy Protection Act and the Neighborhood Children's Internet Protection Act.²⁷ Additionally, court cases like *Meyer v. Nebraska*²⁸ and *Prince v. Massachusetts*²⁹ have upheld parents' and children's privacy rights in various contexts.

The US has also prioritized protecting privacy rights in the realm of science and technology, with laws such as the USA PATRIOT Act³⁰ and the Privacy of Electronic Communications Act³¹ aimed at safeguarding privacy against misuse of advanced technology, particularly in combating terrorism.

²⁶ Federal Data Protection Act, 2001

²⁷ Murray, C. (2024) *U.S. Data Privacy Protection Laws: A Comprehensive Guide*, *Forbes*. Available at: <https://www.forbes.com/sites/conormurray/2023/04/21/us-data-privacy-protection-laws-a-comprehensive-guide/?sh=7746cc6b5f92> (Accessed: 03 April 2024).

²⁸ *Meyer v. Nebraska*, 262 U.S. 390 (1923)

²⁹ *Prince v. Massachusetts*, 321 U.S. 158 (1944)

³⁰ *USA PATRIOT Act* | *USA PATRIOT Act* | *FinCEN.gov*. Available at: <https://www.fincen.gov/resources/statutes-regulations/usa-patriot-act> (Accessed: 29 January 2024).

³¹ *Electronic communications privacy act of 1986 (Ecpa)* Bureau of Justice Assistance. Available at: <https://bja.ojp.gov/program/it/privacy-civil-liberties/authorities/statutes/1285> (Accessed: 02 April 2024).

For general queries or to submit your research for publication, kindly email us at editorial@ijalr.in

Furthermore, the US has long been at the forefront of data privacy protection, enacting the Privacy Act of 1974³² to safeguard personally identifiable information. Recent judicial decisions, such as in *Rajagopalan Sridhar v. Microsoft Corporation*³³, have further strengthened data privacy protections, showcasing the US's leadership in privacy protection globally.

- **United Kingdom**

The UK lacks strong privacy protections and explicit privacy laws compared to the US but has recently begun passing regulations in this area. While the UK asserts the right to protect privacy, it does not have specific laws addressing it. Instead, important laws like ECPHRFF of 1950³⁴ and the Human Rights Act of 1998 provide some level of protection.

In cases like *Pollard v. Strange*³⁵, the judiciary has proactively safeguarded personal privacy despite the absence of express laws. However, there has been limited legislative or judicial action to promote women's and children's privacy rights in the UK.

In terms of privacy protection from technological advancements, the UK has some laws³⁶ providing certain protections, although it lags behind in utilizing scientific technology to its full potential. Cases like *Peck v. UK* demonstrate efforts by the judiciary to address privacy concerns arising from advanced technologies.

Regarding data privacy, the UK has taken commendable steps by passing the Data Protection Act of 1998 and other laws to safeguard this right.³⁷ However, the UK has not expressly acknowledged the Right to Privacy, instead recognizing the obligation to safeguard Private Life, leading to occasional neglect of privacy rights in the country.

³²*Privacy act of 1974* (2022) *Office of Privacy and Civil Liberties*. Available at: <https://www.justice.gov/opcl/privacy-act-1974> (Accessed: 12 April 2024).

³³ 671 F.3d 726, 729 (9th Cir. 2011)

³⁴the European Convention for the Protection of Human Rights and Fundamental Freedoms, 1950

³⁵ *Theakston v. MGN and Photography Co., A v. B*

³⁶ *Interception of Communications Act and Wireless Telegraphy Act of 1949, the 1985 Privacy Act, the Telecommunications (Data Protection and Privacy) Guidelines, and The Regulation of Investigatory Powers Act of 2000*

³⁷ *the Financial Services Act of 1986, the Access to Medical Reports Act of 1988, the Official Secrets Act of 1989, the Telecommunications (Data Protection and Privacy) Regulations of 1999, the Regulation of Investigatory Powers Act of 2000, and the Protection of Freedoms Act of 2012*

For general queries or to submit your research for publication, kindly email us at editorial@ijalr.in

- **INDIA**

India had robust privacy laws dating back to ancient and medieval times, but contemporary legislation on privacy is lacking. While efforts have been made by the legislature and judiciary to uphold privacy rights since India's independence, the country has not recognized the right to protect private life as comprehensively as the USA. As a result, the concept of a private life with dignity is not extensively discussed in India due to the absence of legislative or judicial action.

Women's privacy rights have been protected through traditional customs, such as the purdah system for Muslim women, which mandates privacy standards in homes designed for female occupancy. Legal protection for women's privacy is provided under Section 509 of Indian Code³⁸, and Article 21 of the Constitution³⁹ implicitly guarantees women's privacy rights. Additionally, various laws offer some degree of privacy protection for women.⁴⁰

In terms of safeguarding children's privacy, India has passed laws addressing this issue, but there have been no significant instances of enforcement by the judiciary. India lags behind the USA in protecting children's internet privacy⁴¹, with recent provisions introduced in the IT Act of 2000's 2008 revision.⁴² Despite some laws aiming to protect privacy in scientific and technological developments, the Indian judiciary is still relatively inexperienced in handling such cases.⁴³

Regarding data privacy, India is behind Western countries like the USA and the UK, which have comprehensive legislation in place. India has introduced bills like the Digital Personal Data Protection Bill of 2019 and 2022⁴⁴ to address data privacy concerns, but these efforts are recent compared to the legislation passed by other countries. Overall, India is still catching up in terms of defending privacy rights compared to Western nations.

³⁸ of the Indian Penal Code, 1860

³⁹Of India, 1950

⁴⁰ like the Medical Termination of Pregnancy Act, 1971, the Indecent Representation of Women (Prohibition) Act, 1986 and the Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994

⁴¹ the Juvenile Justice (Care and Protection of Children) Act of 2015 and the Children Act of 1960

⁴² of the Information Technology Act, 2000

⁴³ The Official Secrets Act of 1923, the Public Records Act of 1993, the Information Technology Act of 2000, and the Right to Information Act of 2005

⁴⁴*Digital Personal Data Protection bill, 2022 (2024) PRS Legislative Research*. Available at: <https://prsindia.org/billtrack/draft-the-digital-personal-data-protection-bill-2022> (Accessed: 13 March 2024).

For general queries or to submit your research for publication, kindly email us at editorial@ijalr.in

The Right to Privacy Bill of 2011⁴⁵ and its subsequent iteration, the Privacy Bill of 2014⁴⁶, aimed to establish privacy rights for Indian citizens, empowering them to control the collection, storage, use, and disclosure of their personal information while imposing penalties for violations.⁴⁷ The 2011 bill, however, faced challenges and was not enacted into law due to disagreements among Parliament members and other factors. Recognizing the need for improvement, it was revised into the Privacy Act of 2014.

The 2014 legislation defines personal data broadly and outlines exemptions to privacy rights concerning matters of national interest, crime prevention, and public safety. It also sets forth specific privacy principles and procedures, emphasizing accountability and transparency in data handling practices. Violations of privacy, including unauthorized data collection, usage, and dissemination, are subject to significant fines under the proposed law.⁴⁸

Despite its strengths, the bill has limitations, including the absence of a clear definition of privacy violations and certain exemptions for law enforcement and intelligence activities. Its prolonged existence in the bill stage underscores the need for a comprehensive privacy protection law in India.

In India, there has been a significant push to enact legislation safeguarding privacy rights in response to the rapid advancement of information and communication technologies. However, while there have been initiatives such as the Right to Privacy Bill of 2011⁴⁹ and subsequent iterations, challenges in passing comprehensive legislation remain. The Privacy Act of 2014 addressed some shortcomings but still requires further refinement.

⁴⁵Right to privacy bill 2011 | Law Web. Available at: <https://www.lawweb.in/2012/08/right-to-privacy-bill-2011.html> (Accessed: 29 March 2024).

⁴⁶*Right to privacy bill 2014: Current status*, GKToday.

⁴⁷ Batra, N. | *India's privacy law - digital personal data protection bill: Anticipating the impending impact on businesses*, Bar and Bench - Indian Legal news.

⁴⁸Greenleaf, G. (2014) *India's draft the right to privacy bill 2014 – will modi's BJP enact it?*, SSRN. Available at: <https://deliverypdf.ssrn.com/delivery.php?ID=924024068085090110025002029095120078018010057003010003004105080109024001064021030011126002010009009047042124096028115099064065005085066082003093077087114092112036064034081120007000004114067084126005019105019017066030006105108029080019118122029082&EXT=pdf&INDEX=TRUE> (Accessed: 20 April 2024).

⁴⁹Right to privacy bill 2011 | Law Web. Available at: <https://www.lawweb.in/2012/08/right-to-privacy-bill-2011.html> (Accessed: 29 March 2024).

The discussion then delves into the importance of data protection in the digital age, emphasizing the need for laws to regulate the collection, storage, and usage of personal data. The PDPB of 2019⁵⁰ aimed to address these concerns but faced criticism for certain provisions. The subsequent 2022 version of the bill introduces improvements, including clearer guidelines for data usage, enhanced rights for data subjects, and stricter penalties for non-compliance.

Key provisions of the PDPB⁵¹ include the establishment of a Data Protection Authority, regulations on data processing by organizations, rights for data subjects such as access and deletion of personal data, and penalties for data breaches. The bill also addresses cross-border data transfers and exemptions for certain entities.

Despite these advancements, the passage emphasizes the need for swift action by the Indian Parliament to finalize and enact comprehensive data protection legislation. It underscores the importance of protecting the fundamental right to privacy guaranteed under Article 21 of the Indian Constitution, particularly in light of the Puttaswamy judgment⁵². The passage concludes by emphasizing the urgency of enacting dedicated legislation to protect privacy rights in India.

CONCLUSION AND SUGGESTIONS

The notion of privacy is universally recognized as essential for human dignity, regardless of cultural or temporal context. It encompasses the right to solitude and control over personal information, shielding individuals from unwarranted intrusion into their lives. Privacy has both material and philosophical dimensions, epitomized by the concept of "private space" sought by individuals across civilizations. While historical and cultural factors influence the understanding of privacy, its core remains the freedom from external interference, making it a fundamental right.

In India, the concept of privacy has ancient roots, evident in texts like the Ramayana and Mahabharata, as well as cultural practices such as purdah. Legal precedents, such as the Nuth Mull case of 1855⁵³, underscore the nation's early recognition of privacy

⁵⁰The Personal Data Protection Bill, 2014

⁵¹The Personal Data Protection Bill, 2014

⁵² Justice K.S. Puttaswamy(Retd.) v. Union of India (2017) 10 SC 641

⁵³ Nuth Mull v. Zuka-Oollah Beg [Sr. D. A. N. W. P. R. 1855 at p.92]

For general queries or to submit your research for publication, kindly email us at editorial@ijalr.in

<https://www.ijalr.in/>

rights, predating similar developments in countries like the USA⁵⁴. While the evolution of privacy laws has been gradual, global events like the Universal Declaration of Human Rights have spurred broader recognition of privacy rights.

The rise of information technology and data science has further underscored the need for legal protection of privacy rights. In the digital age, individuals' personal data are collected and traded by companies, often without their full understanding or consent. Despite growing awareness, the complexity and opacity of terms and conditions make informed consent difficult, leading to widespread data exploitation.

Given the growing threats to privacy, particularly from private entities, there is an urgent need for comprehensive data protection laws. The landmark *KS Puttaswamy judgment*⁵⁵ of the Supreme Court affirmed privacy as a fundamental right under Article 21 of the Constitution, placing a constitutional obligation on the state to safeguard privacy. Specialized legislation is necessary to define and protect privacy rights in the digital age, reflecting the evolving societal and technological landscape.

In conclusion, privacy is an indispensable aspect of human dignity, continually shaped by societal and technological changes. While this study provides insight into various dimensions of privacy, ongoing research and legislative efforts are needed to address the complex challenges posed by the digital era.

SUGGESTIONS:

- Clearly defining and specifying privacy rights is essential for their effective protection, as with any other fundamental right.
- While the Supreme Court's activism has established privacy as a fundamental right in India under Article 21, there remains a need for comprehensive statutory provisions to fully recognize and safeguard privacy.
- Mere acknowledgment of privacy as a fundamental right is insufficient without delineating its nature, boundaries, and scope through statutory mechanisms. This is necessary to prevent conflicts with other laws, such as Section 8 of the RTI Act, 2005, and media rights.

⁵⁴ in the UK it was evolved by the case of *Prince Albert v. Strange*, 1848 and in the USA it was evolved by the case of *Boyd v. United States* in 1886.

⁵⁵ *Justice K.S. Puttaswamy (Retd.) v. Union of India* (2017) 10 SC 641

- Data protection and information privacy have become paramount issues in modern times, particularly in India where a legal vacuum exists in addressing and safeguarding data information privacy. Unlike the USA and the UK, which have enacted and enforced the Privacy Act and the Data Protection Act, respectively, India is still in the process of developing such legislation.
- Given the regular occurrence of frauds through data breaches in India, especially in the banking sector, there is a need for extensive awareness campaigns, particularly targeting less literate individuals. Educating them about the consequences of their negligence can help prevent such frauds.
- The expeditious enactment and implementation of the PDP Bill, 2022, are crucial to establish stricter regulations and enforcement of data protection laws.
- Establishing a separate and specialized investigative and adjudicatory institution is necessary to handle cases related to digital data breaches effectively. Traditional investigative and adjudicatory bodies may not have the expertise to address such complex issues.
- Companies that collect and store individuals' data should face strict penalties for negligence leading to data breaches. In cases of severe breaches, they should even be held criminally liable.
- A dedicated regulatory authority should be established to monitor the security systems implemented to prevent data breaches. Regular auditing by this authority would ensure compliance with data privacy guidelines and regulations by companies and government agencies alike.

BIBLIOGRAPHY:

1. BOOKS:

- MP Jain, Indian Constitutional Law, Lexis Nexis, Gurgaon, 7th Edition, 2016.
- Dr. JN Pandey, Constitutional Law of India, Central Law Agency, Allahabad, 53rd Edition, 2016.
- 1 H.M. Seervai, Constitutional Law of India, N.M. Tripathi Private Ltd., Bombay, 3rd Edition, 1983

For general queries or to submit your research for publication, kindly email us at editorial@ijalr.in

<https://www.ijalr.in/>

- Durga Das Basu, Commentary on the Constitution of India, volume 5, Lexus Nexus, Gurgaon, 9th edition, 2015.
- Ursula Smartt, media and entertainment law, Routledge Taylor and Francis group, second edition, 2014.
- Privacy Law A Comparative Study, S K Sharma, 1994, Atlantic Publishers and Distributors Pvt.Ltd
- Hyman Gross, Privacy-Its Legal Protection (Introduction to the 2nd.edn.), Oceana Publications Inc., New York, 1976, p.ix.
- Kiran Deshta, Right to Privacy under Indian Law, Deep and Deep Publications Pvt. Ltd., New Delhi, 2011, p.81
- Batuk Lal, The Law of Evidence, Central Law Agency, Allahabad, 23rdEdn., 2020, p.285
- H. K. Saharay, Laws of Marriage & Divorce, Eastern Law House, Kolkata, 5th Edn., 2007, p.232
- G. Mishra, Right to Privacy in India, Preeti Publications, Delhi, 1stEdn., 1994

2. ARTICLES:

- Ravinder Kumar and Gaurav Goel, Right to Privacy in India Concept and Evolution, lightning source private limited, first edition, 2016.
- Right to Privacy - An Study of Developing Process in India, America, and Europe by Shriniwas Gupta and Dr. Preeti Misra, Vol. 18, 2005, CILQ, pp. 524–552
- Right to Privacy - An Study of Developing Process in India, America, and Europe by Shriniwas Gupta and Dr. Preeti Misra, Vol. 18, 2005, CILQ, pp. 524–552
- Constitutional Control of Right to Privacy, by M. L. Upadhyay and Prashant
- Jayaswal, Vol. 2, 1989, CILQ, pp. 39–58,
- Right to Privacy Versus Freedom of Press: A Comparative Conspectus of Legal Position in the United States, the United Kingdom, and India, by Dr. M. K. Bhandari, Vol. XI, 1991, IJLS, pp. 178–191,

For general queries or to submit your research for publication, kindly email us at editorial@ijalr.in

<https://www.ijalr.in/>

- G. R. Lekshmi, Electronic Surveillance - A Tool for Invasion of Privacy, Vol. 32:1&2, 2008, The Academy Law Review, pp. 223-256,
- Right to Privacy is an Aspect of Human Dignity by Shrinivas Gupta, published in Lawyer, Vol. 17, 1985, pp. 67-73
- Soli J. Sorabjee titled "Privacy and Defamation: SC Sets Criteria," published in PCIR Vol. 16, 1995, pp. 17-19
- Dr. Sanjib Kumar Tiwari, "Right to Privacy: The Role of Indian Judiciary", JCC Law Review Volume III(1), 2012
- Dr. Sangeeta Chatterjee, Right To Privacy and Its Current Trends: A Comparative Study Under the Legal Systems of USA, UK and India, University of North Bengal, 2017
- Sunita Khariwal, "Parameters of Right to Privacy", Indian Socio-Legal Journal, Vol.XXXIX (1&2), 20'13, pp.129-134 at p.129
- Alan F. Westin, Privacy and Freedom, Atheneum Publication, New York, 1970, p.8
- Charles Fried, "Privacy", Yale Law Journal, Vol.77 (475), 1968, p.478
- Dorothy Lee, Freedom and Culture, Englewood Cliffs, N.J., 1959, pp.31-32.
- Margaret Mead, Coming of Age in Samoa, Mentor ed., New York, 1949, pp.82-85
- The Sociology of Georg Simmel, in Kurt Wolff (tr. and ed.), New York, 1950
- Robert F. Murphy, "Social Distance and the Veil," American Anthropologist, Vol.66, 1964, pp.1257-74
- Pierre Juvigny, "Modern Scientific and Technical Developments and their consequences on the protection of the Right to respect for a person's private and family life, his home andcommunications," in A.H.Robertson (ed.), Privacy and Human Rights, Manchester University Press, Manchester, 1973, p.129
- Edward T. Hall, The Hidden Dimension, New York: Doubleday and

For general queries or to submit your research for publication, kindly email us at editorial@ijalr.in

<https://www.ijalr.in/>

- Company, Inc., *1966*, , pp.108-112, 131
- Reynolds, O. M. (1969). [Review of *PRIVACY AND FREEDOM*, by A. F. Westin]. *Administrative Law Review*, 22(1), 101–106.
- <http://www.jstor.org/stable/40708684> accessed on 22.03.2023 on 03:50 P.M
- R. M. Williams, Jr., *American Society : A Sociological Interpretation*, New York, 1960, Ch.11; E. E. Morison (ed.), *The American Style*, New York, 1958; Michael McGiffert (ed.), *The Character of Americans*, Homewood, Ill., 1964
- Edward A. Shils, *The Torment of Secrecy*, Glencoe, Ill., 1956, pp.47-57; H. H.
- Hyman, “England and America : Climates of Tolerance and Intolerance”, in
- Daniel Bell (ed.), *The Radical Right*, New York, 1963, Ch.12
- Hannah Arendt, *The Human Condition*, Anchor (ed.), New York, 1959, pp.2369; H. M. Roelofs, *The Tension of Citizenship: Private Man and Public Duty*, New York, 1957; H. D. Lasswell, “The Threat to Privacy” in R. M. McIver (ed.), *Conflict of Loyalties*, New York, 1952, pp.121-140; Clinton Rossiter,
- “The Pattern of Liberty”, in M. R. Konvity and Clinton Rossiter (eds.), *Aspects of Liberty*, Ithaca, New York, 1958, pp.15-32; Morroe Berger et al., *Freedom and Control in Modern Society*, New York, 1964, p.190
- William W. Howels, *The Heathens: Primitive Man, and His Religions*, New York, 1948, Ch.10; Robert H. Lowie, *Primitive Religion*, New York, 1924;
- E. Vogt and W. Lessa (eds.), *Reader in Comparative Religion*, New York, 1965 Clellan S. Ford and Frank A. Beach, *Patterns of Sexual Behaviour*, paperback edn., New York, 1951, pp.102-104.
- George P. Mardock, “The Universals of Culture,” in E. A. Hoebel, J. D. Jennings and E. R. Smith (eds.), *Readings in Anthropology*, New York, 1955, P.5; J. W. M. Whiting and I. L. Child, *Child Training and Personality*, New Haven, Conn., 1953, pp.84-86, 116

For general queries or to submit your research for publication, kindly email us at editorial@ijalr.in

<https://www.ijalr.in/>

- Pierre Juvigny, “Modern Scientific and Technical Developments and their
- Consequences on the Protection of the Right to Respect for a person’s Private
- and Family Life, his Home and Communications”, in A. H. Robertson (ed.), op.cit., pp.129-138 at p.132
- R. V. Jones, “Some Threats of Technology to Privacy”, in A. H. Robertson (ed.), op.cit., pp.139- 162 at pp.143-144
- C. M. van der Bank, “The Right to Privacy – South African and Comparative
- Perspectives,” European Journal of Business and Social Sciences, Vol.1(6), October 2012, pp.77-86 at p.79
- Jonathan Burchell, “The Legal Protection of Privacy in South Africa: A
- Transplantable Hybrid,” Electronic Journal of Comparative Laws, Vol.13.1,
- March 2009, pp.1-26 at p.12,

3. **STATUTES:**

- The Indian Evidence Act, 1872
- The Bar Council of India Rules
- The Advocates Act, 1961
- The Indian Telegraph Act, 1885
- The Criminal Laws (Amendment) Act of 2013
- The Divorce Act of 1869
- The Hindu Marriage Act of 1955
- The Special Marriage Act of 1954
- The Code of Criminal Procedure, 1973
- The Indecent Representation of Women (Prohibition) Act, 1986
- The Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994
- The Juvenile Justice (Care and Protection of Children) Act, 2015

For general queries or to submit your research for publication, kindly email us at editorial@ijalr.in

<https://www.ijalr.in/>

- Protection of Freedoms Act of 2012
- Freedom of Information Act of 1966
- Privacy Act of 1974
- The Connecticut Comstock Act of 1879
- the Human Rights Act, 1998
- the Cr P C of 1898
- the U P Police Regulations, 1861
- the Prohibition of Immoral Trade in Women and Girls Act, 1956
- the Indian Telegraph Act, 1885
- the Hindu Marriage Act, 1955
- the Privacy Act, 1998,
- the Privacy Amendment (Private Sector) Act, 2000
- Electronic Communications and Transactions Act, 2002
- Access to Information Act of 2002
- The National Credit Act of 2005.
- Federal Data Protection Act, 2001
- Interception of Communications Act and Wireless Telegraphy Act of 1949,
- the 1985 Privacy Act,
- the Telecommunications (Data Protection and Privacy) Guidelines, and The Regulation of Investigatory Powers Act of 2000
- the Financial Services Act of 1986, the Access to Medical Reports Act of 1988, the Official Secrets Act of 1989, the Telecommunications (Data Protection and Privacy) Regulations of 1999, the Regulation of Investigatory Powers Act of 2000, and the Protection of Freedoms Act of 2012
- Indian Easements Act, 1882

For general queries or to submit your research for publication, kindly email us at editorial@ijalr.in

<https://www.ijalr.in/>

- The Indian Penal Code, 1860
- The Medical Termination of Pregnancy Act, 1971, the Indecent Representation of Women (Prohibition) Act, 1986
- The Children Act of 1960
- Digital Personal Data Protection Bill, 2022
- The Personal Data Protection Bill, 2019
- The Personal Data Protection Bill, 2014
- The Indian Telegraph Act of 1885
- Indian Post Office Act of 1898
- The Information Technology Act, 2000
- The Official Secrets Act of 1923
- The Public Records Act of 1993

4. **CASE LAWS:**

- Connecticut v. Griswold 381 U.S. 479 (1965)
- Prince Albert v. Strange 1848 2 De G & Sm 652
- People's Union for Civil Liberties v. Union of India AIR 1997 SC 568
- Kharak Singh v. State of U.P AIR 1963 SC 1295
- Govind v. State of M.P AIR 1975 SC 1378
- K. S. Puttaswamy v. Union of India (2017) 10 SCC 1
- Connecticut v. Griswold 381 U.S. 479 (1965)
- Entick v. Carrington 19 How. St. Tr. 1029 (1765)
- Stanley v. Georgia 394 U.S. 557 (1969)
- Cox Broadcasting Corporation v. Mortin Cohn 420 U.S. 469 (1975)
- Lawrence v. Texas 539 U.S. 558 (2003)
- Obergefell v. Hodges 576 U.S. _ (2015)

For general queries or to submit your research for publication, kindly email us at editorial@ijalr.in

<https://www.ijalr.in/>

©2024 International Journal of Advanced Legal Research

- Saltman Engineering v. Campbell Engineering (1948) 65 R PC 203 at p.215
- Campbell v. MGN Ltd.[2004]UKHL22
- AMP v. Persons Unknown (2011) EWHC 3454 (TCC)
- Nuth Mull v. Zuka-Oollah Beg Sr. D. A. N. W. P. R. 1855 at p.92
- Gokal Prasad v. Radho ILR 10 All 358 (1888)
- Gunga Pershad v. Salik Pershad, S.D.A.N.W.P. Rep. 1862 Vol.II, 217;
- Goor Dass v. Manohaur Dass, N.W.P.H.C. Rep. 1868, 253;
- Matta Prasad v. Behari Lal, S.A. No.8 of 1886 (unreported).
- Bholan Lal v. Altaf Hussain AIR 1945 All 335
- B. Nihal Chand v. Bhagwan Dei ILR All (1936) 58
- M. P. Sharma v. Satish Chandra AIR 1954 SC 300
- Wolf v/s. Colorado 338 U.S. 25 (1949)
- In Re: Ratnamala and Another v. Unknown [AIR 1962 Mad 31]
- State of Maharashtra v. Madhukar Narayan Mardikar [AIR 1991 SC 207]
- R. Rajagopal v. State of Tamil Nadu [AIR 1995 SC 264]
- T. Sareetha v. T. Venkata Subbaiah [AIR 1983 AP 356]
- Saroj Rani v. Sudarshan Kumar AIR 1984 SC 1562
- Harvinder Kaur v. Harminder Singh AIR 1984 Delhi 66
- Mr. "X" v. Hospital "Z" [AIR 1997 Bom 406].
- Vijay Prakash v. Union of India [AIR 2010 Delhi 7]
- In V. v. High Court of Karnataka [2017 SCC OnLine Kar 424]
- Victoria Park Racing and Recreation Grounds Co. Ltd. vs. Taylor (1937) 58 CLR 479
- Rajagopalan Sridhar v. Microsoft Corporation 671 F.3d 726, 729 (9th Cir. 2011)

For general queries or to submit your research for publication, kindly email us at editorial@ijalr.in

<https://www.ijalr.in/>

5. WEBSITES:

- [https://clpr.org.in/blog/privacy-theory-101-warren-and-brandeis-law-affectand-the-right-to-be-alone/#:~:text=They%20argued%20that%20protecting%20privacy,though%20communications%20and%20sentiments'](https://clpr.org.in/blog/privacy-theory-101-warren-and-brandeis-law-affectand-the-right-to-be-alone/#:~:text=They%20argued%20that%20protecting%20privacy,though%20communications%20and%20sentiments)
- [http://hdl.handle.net/10603/401108\(https://shodhganga.inflibnet.ac.in:8443/jspui/handle/10603/401108\)](http://hdl.handle.net/10603/401108(https://shodhganga.inflibnet.ac.in:8443/jspui/handle/10603/401108))
- Smt. Kiran Deshta on Family Privacy
(https://ir.nbu.ac.in/bitstream/123456789/2641/12/12_chapter%202.pdf)
- <https://www.drishtias.com/daily-updates/daily-news-analysis/digitalpersonal-data-protection-bill-2022>
- https://www.sconline.com/blog/post/2020/05/22/personal-data-protectionbill-2019-examined-through-the-prism-of-fundamental-right-to-privacy-a-critical-study/#_ftn22
- <https://economictimes.indiatimes.com/tech/internet/how-data-brokers-are-selling-all-your-personal-info-for-less-than-a-rupee-to-whoever-wantsit/articleshow/57382192.cms?from=mdr> visited on 04.03.2023 at 09:10 am
- <https://www.outlookindia.com/business/50-of-consumers-suffered-data-breacheswamped-with-unwanted-offers-survey-news-238319> visited on 03.04.2023 at 08:50 am
- <https://thewire.in/government/aiims-servers-cyberattack-ransomware-rajyasabha>
- <https://economictimes.indiatimes.com/tech/technology/aiims-cyber-attacktook-place-due-to-improper-network-segmentation-govt-inrs/articleshow/97805598.cms>
- <https://www.komando.com/security-privacy/data-grabbing-apps/762166/>
- *Overview of the privacy act: 2020 edition* (2022) Office of Privacy and Civil Liberties. Available at: <https://www.justice.gov/opcl/overview-privacy-act-1974-2020-edition/introduction> (Accessed: 28 March 2024).
- Participation, E. (no date) *Data protection act 2018, Legislation.gov.uk*. Available at: <https://www.legislation.gov.uk/ukpga/2018/12/contents> (Accessed: 28 April 2024).
- *U.S. constitution* (no date) *Legal Information Institute*. Available at: <https://www.law.cornell.edu/constitution> (Accessed: 28 April 2024).
- *Right to privacy in digital era: A study with Indian context* (no date) *Legal Service India - Law, Lawyers and Legal Resources*. Available at: <https://www.legalserviceindia.com/legal/article-5404-right-to-privacy-in-digital-era-a-study-withindian-context.html> (Accessed: 28 April 2024).

For general queries or to submit your research for publication, kindly email us at editorial@ijalr.in

<https://www.ijalr.in/>

- Gelinias, J. (2024) *See which apps are collecting the most data on you each day*, *Komando.com*. Available at: <https://www.komando.com/security-privacy/data-grabbing-apps/762166/> (Accessed: 28 February 2024).
- *Business news: Find latest news, trends, Stock Market, finance, Economy & Policy, company and technology* (no date) *Outlook Business & Money*. Available at: <https://www.outlookindia.com/business/50-of-consumers-suffered-data-breach-swamped-withunwanted-offers-survey-news-238319> (Accessed: 28 February 2024).
- *Business news: Find latest news, trends, Stock Market, finance, Economy & Policy, company and technology* (no date) *Outlook Business & Money*. Available at: <https://www.outlookindia.com/business/50-of-consumers-suffered-data-breach-swamped-withunwanted-offers-survey-news-238319> (Accessed: 28 February 2024).
- *AIIMS cyber attack took place due to improper network segmentation: Govt in rs* (no date) *The Economic Times*. Available at: <https://economictimes.indiatimes.com/tech/technology/aiims-cyber-attack-took-place-due-toimproper-network-segmentation-govt-in-rs/articleshow/97805598.cms> (Accessed: 12 January 2024).
- *5 AIIMS servers hacked, 1.3 TB data encrypted in recent cyberattack, Govt tells rs* (no date) *The Wire*. Available at: <https://thewire.in/government/aiims-servers-cyberattack-ransomware-rajya-sabha> (Accessed: 28 January 2024).
- *Business news: Find latest news, trends, Stock Market, finance, Economy & Policy, company and technology*. Available at: <https://www.outlookindia.com/business/50-of-consumers-suffered-data-breach-swamped-withunwanted-offers-survey-news-238319> (Accessed: 24 March 2024).
- *Data Brokerage: How Data Brokers are selling all your personal info for less than a rupee to whoever wants it* .*The Economic Times*. Available at: <https://economictimes.indiatimes.com/tech/internet/how-data-brokers-are-selling-all-your-personalinfo-for-less-than-a-rupee-to-whomever-wants-it/articleshow/57382192.cms?from=mdr> (Accessed: 10 March 2024).
- *USA PATRIOT Act |USA PATRIOT Act | FinCEN.gov*. Available at: <https://www.fincen.gov/resources/statutes-regulations/usa-patriot-act> (Accessed: 29 January 2024).

For general queries or to submit your research for publication, kindly email us at editorial@ijalr.in

<https://www.ijalr.in/>

- *Electronic communications privacy act of 1986 (Ecpa)* Bureau of Justice Assistance. Available at: <https://bja.ojp.gov/program/it/privacy-civil-liberties/authorities/statutes/1285> (Accessed: 02 April 2024).
- *Privacy act of 1974 (2022)* Office of Privacy and Civil Liberties. Available at: <https://www.justice.gov/opcl/privacy-act-1974> (Accessed: 12 April 2024).
- *Meyer v. Nebraska, 262 U.S. 390 (1923)* Justia Law. Available at: <https://supreme.justia.com/cases/federal/us/262/390/> (Accessed: 20 April 2024).
- *Prince v. Massachusetts, 321 U.S. 158 (1944)* Justia Law. Available at: <https://supreme.justia.com/cases/federal/us/321/158/> (Accessed: 20 April 2024).
- *Draft Digital Personal Data Protection bill, 2022 (2024)* PRS Legislative Research. Available at: <https://prsindia.org/billtrack/draft-the-digital-personal-data-protection-bill-2022> (Accessed: 13 March 2024).
- Batra, N. | *India's privacy law - digital personal data protection bill: Anticipating the impending impact on businesses, Bar and Bench - Indian Legal news*. Available at: <https://www.barandbench.com/law-firms/view-point/indias-privacy-law-digital-personal-data-protection-bill-anticipating-the-impending-impact-on-businesses> (Accessed: 20 April 2024).
- *Right to privacy bill 2014: Current status, GKToday*. Available at: https://www.gktoday.in/right-to-privacy-bill-2014/#google_vignette (Accessed: 21 March 2024).
- Greenleaf, G. (2014) *India's draft the right to privacy bill 2014 – will modi's BJP enact it?, SSRN*. Available at: <https://deliverypdf.ssrn.com/delivery.php?ID=924024068085090110025002029095120078018010057003010003004105080109024001064021030011126002010009009047042124096028115099064065005085066082003093077087114092112036064034081120007000004114067084126005019105019017066030006105108029080019118122029082&EXT=pdf&INDEX=TRUE> (Accessed: 20 April 2024).

For general queries or to submit your research for publication, kindly email us at editorial@ijalr.in

<https://www.ijalr.in/>

- *Right to privacy bill 2011 | Law Web.* Available at: <https://www.lawweb.in/2012/08/right-to-privacy-bill-2011.html> (Accessed: 29 March 2024).



For general queries or to submit your research for publication, kindly email us at editorial@ijalr.in

<https://www.ijalr.in/>

©2024 International Journal of Advanced Legal Research