Chapter 18
Digital Governance, Security, and Privacy Rights in India:
Exploring Evolving Political Theory and Recent Legislative Developments

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ABSTRACT

In the contemporary era, technological progress has led to a heightened emphasis not only on distinguishing between private and public spheres but also on identifying elements that may inadvertently enter the public domain but nonetheless contribute to privacy concerns. This study aims to examine the complex interplay between privacy rights and dignity in the context of widespread technological progress. This article explores the notion of human dignity, which is presented as a major subject that emphasizes the importance of people and their right to autonomy and respect. The study assesses the intricate interplay between privacy, governance, and

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societal values by drawing from philosophical viewpoints, legal frameworks, and case studies. This study highlights the pressing need for strong norms and ethical standards to safeguard privacy and promote democratic principles in the digital era, as it seeks to comprehend India's stance on privacy rights and concerns related to mass surveillance programs.

1. INTRODUCTION:

In the modern era, with the progress of technology, there is a growing emphasis on distinguishing between private and public domains, as well as considering factors that can impact privacy while also being part of the public sphere. In today's world, the lines between privacy and the preservation of a person's inherent dignity are becoming increasingly blurred (Sullivan, 2011). In the realm of privacy, there has long been an association with the notion of the private sphere, confined within the boundaries of one's home and extending to the sacred concept of family, deserving of utmost protection (DeVries, 2003). By its very nature, this implies that privacy rights encompass and safeguard activities that are not meant for public scrutiny, ensuring a sense of protection from prying eyes. Consequently, it establishes a framework that ensures the proper governance of the data sphere. This is achieved through the delineation of the rights held by individuals in relation to any entity that collects data pertaining to them. It reaffirms in the digital realm what Western democracies have long believed in for offline activities: that markets are not completely free but rather operate within a broader framework of enforceable rights and guarantees. The boundaries of privacy have undergone significant shifts, particularly in the era of the data-driven online environment (Xu & Jia, 2015). Many governments around the world now prioritize the implementation of CCTV systems, utilization of facial recognition technology (FRT), automatic interception and storage of internet and telecommunication data, and the application of AI for comprehensive analysis of the gathered information. Governments worldwide are actively promoting the use of these technologies, recognizing their practicality and cost-effectiveness (Raab, 2017). Some critics have raised concerns about the far-reaching effects of surveillance on individuals' privacy rights, suggesting that it may contribute to a growing sense of mistrust. Individuals value digital privacy as it allows them to maintain control over their online identity and decide which aspects of their identity they want to share (Kasper, 2007). Mastering such a level of authority over information can prove to be quite challenging. More precise terminology and universally agreed-upon definitions of digital privacy need to be used. In the realm of data, its immense power is evident in how it drives the growth of businesses and governments. However, this power also has a downside, as it leaves vulnerable individuals at the mercy of