Need for Anti-Surveillance Laws

What is the issue?

\n\n

A range of measures for surveillance by various government departments suggest a declining nature of privacy.

\n\n

What are the noteworthy proposals?

\n\n

\n
- **MHA** - The latest is the home ministry's (MHA) step to create a centralised database of fingerprints. Click here to know more
\n
- It aims at linking all police stations and state fingerprint databases across India to CCTNS.
\n
- Reportedly, MHA is also repeatedly asking for access to the Unique Identification Authority of India's (UIDAI) biometric database.
\n
- It contains the data for over one billion citizens.
\n
- **SEBI** - A panel set up by the Securities and Exchange Board of India has recently recommended some powers for SEBI.
\n
- It provides for the market regulator to wiretap and record phone calls.
\n
- This is in order to enhance SEBI's ability to monitor insider trading.
\n
- **Internet** - The Netra (Network Traffic Analysis) system for internet monitoring has been operational for several years.
\n
- But its exact capabilities are unknown since it is shielded from the Right to Information Act owing to security implications.
\n
- **Social Media** - The government is considering creating a social media monitoring hub.

\n
- This is to enable “360-degree monitoring” of the social media activity of netizens.
\n
- This was put on hold only after the Supreme Court observed that it would be “like creating a surveillance state”.
\n

\n\n

\n
- **Bill** - The draft legislation of the Personal Data Protection Bill 2018 was recently given by the Srikrishna Committee.
\n
- It gives wide powers to the government to collect and process data in order to exercise the functions of the state.
\n
- Notably the powers can be used, without taking the consent of citizens.
\n
- So there is a concern that it does little to limit the powers of government agencies.
\n

\n\n

What are the concerns?

\n\n

\n
- The steps lead to apprehensions of India becoming a surveillance state with unchecked and growing powers to spy on citizens.
\n
- Also, the SC's judgment recognising the right to privacy as a fundamental right is being undermined in practice.
\n
- There is thus a need for specific laws limiting the surveillance powers of governments.
\n
- The legal checks are more crucial with technological advancements making surveillance systems even more invasive.
\n

\n\n

\n\n

Source: Business Standard

\n

