

Need for Anti-Surveillance Laws

What is the issue?

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

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What are the noteworthy proposals?

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- **MHA** - The latest is the home ministry's (MHA) step to create a centralised database of fingerprints. Click [here](#) to know more

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- It aims at linking all police stations and state fingerprint databases across India to CCTNS.

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- Reportedly, MHA is also repeatedly asking for access to the Unique Identification Authority of India's (UIDAI) biometric database.

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- It contains the data for over one billion citizens.

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- **SEBI** - A panel set up by the Securities and Exchange Board of India has recently recommended some powers for SEBI.

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- It provides for the market regulator to wiretap and record phone calls.

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- This is in order to enhance SEBI's ability to monitor insider trading.

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- **Internet** - The Netra (Network Traffic Analysis) system for internet monitoring has been operational for several years.

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- But its exact capabilities are unknown since it is shielded from the Right to Information Act owing to security implications.

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- **Social Media** - The government is considering creating a social media monitoring hub.

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- This is to enable “360-degree monitoring” of the social media activity of netizens.

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- This was put on hold only after the Supreme Court observed that it would be “like creating a surveillance state”.

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- **Bill** - The draft legislation of the Personal Data Protection Bill 2018 was recently given by the Srikrishna Committee.

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- It gives wide powers to the government to collect and process data in order to exercise the functions of the state.

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- Notably the powers can be used, without taking the consent of citizens.

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- So there is a concern that it does little to limit the powers of government agencies.

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What are the concerns?

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- The steps lead to apprehensions of India becoming a surveillance state with unchecked and growing powers to spy on citizens.

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- Also, the SC's judgment recognising the right to privacy as a fundamental right is being undermined in practice.

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- There is thus a need for specific laws limiting the surveillance powers of governments.

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- The legal checks are more crucial with technological advancements making surveillance systems even more invasive.

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Source: Business Standard

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