

Yet another Bill with Draconian Provisions

It is becoming more and more clearly apparent that the BJP government led by Narendra Modi is not content with its draconian powers available with already existing draconian laws in its armour to silence its opponents of all hues, It has been making efforts to empower its governmental agencies with more powers for surveillance of public with further more laws. The personal Data Protection Bill-2019 to be examined by the select committee but not by the standing committee of the parliament is a clear example for the cruel intentions of the BJP government.

The draft bill was neither circulated well in advance before its presentation in the parliament not the comments and submissions were made during the drafting were made public.

With the false façade of protection to hoodwink the people the BJP government intended to do away with personal freedoms. It intends to encroach upon the critical human rights and undermine them.

It is recognized that privacy is intrinsic to life, liberty and therefore is a basic right. But the BJP government in the name of 'protecting' the sovereignty and integrity of India, public order and friendly relations with foreign countries etc aims to empower any agency of the government to call for personal data, to spy on all of its citizens through so-called personal data protection bill.

Throughout the world various rights organizations and whistle blowers have been disclosing that in this present day digital world of technological development, data (personal) is being misused for the profit making of capitalist business as well for surveillance of the people by various governments. In the journal Monthly Review an article written by Johan Bellamy Foster and Robert W. Mc Chesney and documents released by Edward Snowden in 2013 have revealed the surveillance mechanism employed by the US National Security Agency and its capability to break in to any encryption using super computers that could crack algorithms and thus hacking in to nearly all messages; and that they intercept the information as it travels over fiber optic cables from one data centre to the other.

Recently messaging platform WhatsApp said that some Indian journalists and rights activists were among those spied using technology by an Israeli company, which by its own admission only works for government agencies across the world. Google has alerted 12,000 users, including 500 in India, regarding 'government backed' phishing attempts against them.

The globally accepted rules say that the handlers must abide to the individual's consent to disclose personal data and the protection of privacy of individuals is considered to be the utmost responsibility of the government and to regulate the data processing procedure.

But the BJP government chose to spy on people by removing any personal data protection with the Bill by drawing massive exemptions for government surveillance and data handling. By claiming the right to demand 'non-personal' data a provision in the Bill has been inserted to grant discretion to exempt any government entity or department to collect data without the consent and that the social media platforms have to provide processes for 'voluntary' verification. Thus it is mooted to chill freedom of expression.

On the whole the BJP government has decided to spy on any or all of its citizens to achieve its political gains and to implement its 'Hindutva' agenda with the aid of such draconian provisions in personal data protection Bill-2019.

The democratic forces in the country shall fight against these authoritarian actions of the government and strive to protect their democratic and basic rights and personal freedoms.
