

RIGHT TO PRIVACY “AADHAAR IN BANKING SECTOR AND ITS SOCIO-LEGAL IMPLICATIONS”

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ABSTRACT

The Recognition of Right to Privacy as a Fundamental Right by the Indian Supreme Court in K.S. Puttaswamy case was one of the watershed moments in Indian Constitutional Jurisprudence. Within the framework of this judgment, this paper critically examines the socio-legal implications of Aadhaar framework interfacing between Aadhaar, financial regulations particularly in banking sector and the constitutional guarantee of Right to Privacy under Article 21 of the Indian Constitution. The study analyses the expansion of Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 and the mandatory linking of Aadhaar with bank accounts and government welfare schemes. This generated significant legal debate, including the concerns raised in the dissenting opinion of Justice D.Y. Chandrachud. The study analyses how Aadhaar-based authentication norms and its effectiveness in preventing money laundering, tax evasion and other banking frauds under PMLA, 2002 and the effectiveness of identity verification frameworks in strengthening transparency, while at the same time assessing whether mandatory linking of Aadhaar with bank accounts and other welfare schemes disproportionately interferes with the individual Right to Privacy. The research paper further adopts the reasoning as adopted by the Supreme Court in its judgment including the proportionality test and the dissenting concerns regarding informational self-determination and state overreach. The research paper further examines the legal remedies and institutional safeguards in cases of privacy violations by financial institutions in light of IT Act, 2000 and DPDP Act, 2023. The research concludes that while Aadhaar has contributed to improved welfare scheme delivery and financial inclusion, the enactment of a robust personal data protection regime remains essential to maintain constitutional balance between state interests and individual liberty.

Keywords: Right to Privacy, Aadhaar Act 2016, Prevention of Money Laundering Act 2002, Banking Regulation in India, Data Protection and Informational Self-Determination.

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I. Introduction

Privacy is a necessary constituent of human nature as the concept is nothing new but the dimensions to which it continues to grow with the ever-dynamic nature of life, for life in all its orbits and oscillations keeps on evolving with its surroundings. Recently technology has developed at an amazing pace, changing with it the numerous instances of life and human behaviour. For all the ease of access brought about by technological evolution, it is not without its demerits. One such convenience and necessity is the Aadhaar scheme, the scheme in simple words could be described as allotting a 12-digit number to a person on capturing his biometric and other demographics details which are stored in a system for future endeavours such as identification using fingerprint or transfer of subsidised benefits thereby reducing the possibility of fraud i.e., same person being allotted benefits more than one. As discussing earlier every coin has two sides, the other side of scheme is mainly the privacy and data protection concerns which it brings along with it, evident through numerous instances which have been discussed in the subsequent chapters.

Now the question arises as to What is privacy? Black's law dictionary defines it as the "right to be left alone". In other words, it means to exclude others from your business. Business here means not the commercial one but you're calling. In this context your choices, opinions, family, thoughts, health etc. are all part of privacy. In the last decade internet has become part of life not merely as a tool of convenience but also as matter of necessity, for instance the education nowadays is highly dependent on internet from classes to its schedule and making of projects, assignments, study materials, e-books, journals; are available on the click of mouse as a matter of ease and the corona period has removed the option of choice in the whole matter.

The online world is composed of data provided by different individuals over time and again has developed into a world-wide platform. One's data is within his domain and shall not be used without his permission irrespective of its availability online or offline. The law related to offline matter is quite elaborate but what about the online content. This paper tries to analyse whether data fed into Aadhaar portal is sufficiently protected against involuntarily access and use along with the validity, necessity, merits and demerits of Aadhaar act specially its economic and banking aspects.

"Data is the new oil"

Need And Import

Aadhaar act was presented and passed as a money bill which prevented the Rajya Sabha from questioning or making necessary corrections to it. D.Y. Chandrachud, plainly viewed it as an unlawful law. In the long run by a dominant part judgment Aadhaar Act was held lawful. Despite the fact that his judgment was a minority judgment consequently didn't have a coupling impact yet for firmly raised worries and genuine concerns and utilization of solid wording like 'abuse of the constitutional process' for passing Aadhaar Act, it turns out to be significant in modern jurisprudence and with the end goal of Legal Research. this provides law students to take up this theme and re-evaluate the Aadhaar Act in restricted degree (just in regard of banking area) with the assistance of Doctrinal assets. As a huge number of individuals as of now has connected their Aadhaar card to bank accounts preceding the supreme court verdict, Aadhaar is still compulsory for availing various welfare schemes and subsidies, Pan card. To what extent the concerns among the people of their data being misused for monitoring, surveillance, profiling, frauds without the umbrella of data protection law is genuine will be the concentration of this paper

Breach and misuse of Aadhaar data by the private entities also added concerns to the Aadhaar cards linking. Some of the examples are: Dec, 2019, Bharti Airtel without the knowledge or consent of its customers opened bank accounts using Aadhaar data. Jan 2018, for Rs. 500, one billion entries of Aadhaar database were online available for sale. Sept, 2018, a software patch was found by journalists, using which new people can be created or new people from any part of the world can be added in Aadhaar database. Jio data leak case was one such case in which a person was illegally accessing the Aadhaar data of any Jio user just with the help of people's mobile numbers. (Online, 2018)

Then again, Urgency of passing Aadhaar bill staggeringly as 'money bill' itself makes an uncertainty in the brain of legitimate reasonable man. In spite of the fact that inconsequentially a portion of the new advancements also adds to the need of inspecting Aadhaar plan and its suggestions (identified with Banking area). 'Aadhaar in Banking' turns into a significant exploration subject of study for its immediate bearing on our everyday life. It turns out to be more imperative to break down Aadhaar implications in Banking area as far as taking care of personal data in absence of personal data protection law.

Review Of Literature

To write this paper a lot of help has been taken from several websites such as The Economic Times, The Hindu, India Times, Livemint, The Financial Express, Business Today, Times of India etc. Further Supreme courts website has been visited to get the dissenting judgement of Justice Chandradud along with the non-dissenting Judges so as to provide a comparative analysis of different views. The topic being of fundamental importance various other Journal, Books, Magazines, Case laws, Articles, Research papers have been referred along with the case rundown of the journey of right to privacy in respect of India. Aadhaar amendment act 2019 has been studied to understand whether the directions of supreme court have been given any effect. Lastly amendments in Prevention of money Laundering and Telegraph act have been provided to relate its effects to banks in the sphere of privacy.

Research Methodology

The current paper is concentrated on Role of Aadhaar in banking sector along with its other socio-legal implications. The methodology used is Doctrinal with major contribution from Books, Journals, Articles, Websites, Case law, Digest and commentaries. Different Acts and Authorities have been counselled regarding the matter to compose this paper.

Research Questions

1. How does linking of Aadhaar to bank accounts prevent money laundering, hawala transaction, bank frauds etc?
2. How mandatory connecting of Aadhaar to government welfare schemes will influence the Right to Privacy of Citizens?
3. What are the arrangements accessible if there should arise an occurrence of an infringement of 'Right to Privacy' by bank?

Aims And Objective

This research paper has been taken up to satisfy following goals: -

1. To analyse the socio-legal positioning of Right to privacy in India.
2. To examine ramifications of Right to privacy under the umbrella of Aadhaar Scheme.
3. To investigate the Aadhaar linking effect on Banking area and its client's security rights

4. To investigate the state position on personal information of its nationals.
5. To examine role of Aadhaar in regulating Tax evasion, Black Money and monetary offenses.
6. To investigate the alternatives and cures accessible in the event of infringement of Privacy by banks and enterprises in India.
7. To investigate the weaknesses of Aadhaar Scheme.

Tentative Chapterisation

1. Introduction
2. Right To Privacy
3. Dissenting Opinion Of Justice Chandruchud
4. Overview Of Privacy Judgement (Judgement)
5. Role Of Aadhaar In Preventing Money Laundering And Banking Frauds
6. Solutions As To Violation Of 'Right To Privacy' By Banks
7. Effects Of Compulsory Linking Of Aadhaar To Welfare Schemes
8. Shortcomings
9. Conclusion

II. RIGHT TO PRIVACY

In the international realm there are at least two instruments which provide for nations to make and amend their laws on privacy in accordance with the standards set forth in the instruments, the relevant provisions of respected instruments are:

According to **Article 12** of the Universal Declaration of Human Rights, 1948 which states: "No one shall be subjected to arbitrary interference with his privacy, home or correspondence, family, nor to attacks upon his reputation and honour. Everyone has the right to the protection of the law against such interference or attacks."

According to **Article 17** of the International Covenant on Civil and Political Rights, 1976 which states: "No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation."

General Comment No. 16 to Article 17 of the International Covenant on Civil and Political Rights to which India is a signatory State Party emphasized that: "The gathering and holding

of personal information on computers, data banks and other devices, whether by public authorities or private individuals or bodies, must be regulated by law. Effective measures have to be taken by States to ensure that information concerning a person's private life does not reach the hands of persons who are not authorized by law to receive, process and use it, and is never used for purposes incompatible with the Covenant. In order to have the most effective protection of his private life, every individual should have the right to ascertain in an intelligible form, whether, and if so, what personal data is stored in automatic data files, and for what purposes. Every individual should also be able to, ascertain which public authorities or private individuals or bodies control or may control their files. If such files contain incorrect personal data or have been collected or processed contrary to the provisions of the law, every individual should have the right to request rectification or elimination. The United Nations General Assembly Resolution on the right of privacy in the digital age, passed on December 18, 2013 and the General Comment of the United Nations Human Rights Committee on the right of privacy, family, home, correspondence, and protection of honour and reputation, under the International Covenant on Civil and Political Rights (ICCPR), expressed in 1988, demands that working of State Surveillance be subject to legality through clear and precise law, which law itself must look to safeguard the right to privacy.”

Right to privacy is not explicitly provided for in the Indian constitution. However, the apex court has recognised this right to be included within the ambit of article 21 of the constitution. In *Satish Chandra Case* it was held “there is lack of specific provisions on the Right to Privacy in the Constitution of India like the 4th amendment of US constitution, which provides Right to Privacy as a Fundamental Right. Court declared that we cannot just import right to privacy in India.” (M. P. Sharma v. Satish Chandra, 1954)

The common law maxim “every man’s home is his castle” was applied for the first time in *Kharak Singh Case*. A six-judge bench held that right to privacy is not a fundamental right in India, one of the judges, *Justice Subba Rao* in his dissenting opinion held “though Right to Privacy is not specifically mentioned, yet it is a necessary ingredient of the Right to Life and Personal Liberty”. (Kharak Singh v. State of UP, 1963)

Thereafter, it was ‘*Puttuswamy v. Union of India, (2017)*’ in which nine Judges Bench declared that “Right to Privacy is a Fundamental Right and the core of the Indian Constitution”.

This was a landmark Judgement as it opens many legislations on the ground of right to privacy inclusive within the framework of right to life and liberty i.e., section 377 ‘same sex preferences’, section 497 ‘Adultery’ and enshrines the ideals embodied within the constitution in conformity with India’s international obligations in the respect of human rights. (Justice K. S. Puttuswamy (Retd.) and Anr. V. Union of India and Ors., 2017)

Finally, in Public interest foundation v UOI the question as to validity of Aadhaar act was disposed by Five Judge Bench of the Apex court clearing out the notions of data protection and non-possibility of it being used as a tool of mass surveillance. Section 57 which provides for corporations and individuals to insist for Aadhaar data was held unconstitutional also the national security exception in the larger interest of the public the act was held valid. (Full text of Supreme Court’s verdict on validity of Aadhaar, 2018)

Consequences of the Constitutional Bench decision: -

Aadhaar is no longer mandatory for opening bank accounts or purchasing sim card or for children to access welfare benefits. It is mandatory for filing income tax, Pan card, and availing welfare schemes and subsidies. (Full text of Supreme Court’s verdict on validity of Aadhaar, 2018)

III. JUSTICE CHANDRACHUD – DISSENTING OPINION

In Aadhaar validity verdict the majority judgement gave a thumbs up to the Act after expurgating section 57 and making minor adjustments as to limitation of the act to Pan card, income tax returns and availing government subsidies through welfare schemes. However as discussed earlier that Aadhaar act was passed in the guise of money bill thereby preventing Rajya Sabha from cross checking and making suitable adjustments to it, Justice Chandrachud views were quite different from his peers stating the act as a fraud on the constitution. He emphasised: “Identity is necessarily a plural concept. The Constitution also recognises a multitude of identities through the plethora of rights that it safeguards. Technology deployed in the Aadhaar scheme reduces different constitutional identities into a single identity of a 12-digit number and infringes the right of an individual to identify herself/himself through a chosen means,” he held, “Aadhaar is about identification and is an instrument which facilitates a proof of identity. It must not be allowed to obliterate constitutional identity,” (Public Interest Foundation & Ors. Vs, 2018)

“The legal framework of the Aadhaar Act creates substantive obligations and liabilities which have the capability of impacting on the fundamental rights of residents. A Bill, to be a Money Bill, must contain only provisions which fall within the ambit of the matters mentioned in Article 110. Therefore, the argument that the Aadhaar Act is ‘in pith and substance’ a Money Bill is rejected. Introducing the Aadhaar Act as a Money Bill has bypassed the constitutional authority of the Rajya Sabha. The entire Aadhaar programme, since 2009, suffers from constitutional infirmities and violations of fundamental rights. The enactment of the Aadhaar Act does not save the project. The Aadhaar Act, the Rules and Regulations framed under it, and the framework prior to the enactment of the Act are unconstitutional.” (Public Interest Foundation & Ors. Vs, 2018)

To provide the government enough time to comply with the decision of the court it was directed that the information stored in Aadhaar database would not be destroyed for a period of one year for the government to make necessary changes. Yet, if the direction were not complied the whole data would have to be deleted. He further recommended that a separate data protection law if enacted would remove a lot of privacy concerns from the Aadhaar legislation.

“Today’s dissent is tomorrow’s mainstream”

IV. OVERVIEW OF THE PRIVACY JUDGEMENT

In Puttuswamy case the apex court in its nine judges bench recognised unanimously the right to privacy as a fundamental right within the ambit of article 21 of the constitution overruling its earlier judgements of Satish Sharma and Kharak Singh cases. The concurring judgements also strengthened the right to comprise within its sphere protection of personal information (place of birth, caste, education records), bodily integrity (state of body, health) and autonomous personal decisions (sexual preferences, beliefs, opinions).

The right to privacy as reinforced by concurring judgements:

J. Kaul: The Judge discussed “the right to privacy with respect to protection of informational privacy and the right to preserve personal reputation”. He said that “the law must provide for data protection and regulate national security exceptions that allow for interception of data by the State”. (Dr D Y Chandrachud, 2017)

J. Chelameswar in his opinion said that “the right to privacy implied a right to refuse medical treatment, a right against forced feeding, the right to consume beef and the right to display symbols of religion in one’s personal appearance, etc.” (Dr D Y Chandrachud, 2017)

J. Chandrachud (on his account and C.J. Kehar, J. Nazeer and J. Agrawal): laid down that “privacy was not surrendered entirely when an individual is in the public sphere. Further, it found that the right to privacy included the negative right against State interference, as in the case of criminalization of homosexuality, as well as the positive right to be protected by the State.”

J. Sapre held that, “In the addition to its existence as an independent right, the right to privacy included an individual’s rights to freedom of expression and movement and was essential to satisfy the constitutional aims of liberty and fraternity which ensured the dignity of the individual”. (Dr D Y Chandrachud, 2017)

J. Nariman held that “non-interference with the individual body, protection of personal information and autonomy over personal choices”.

J. Bobde held that “consent was essential for the distribution of inherently personal data such as health records.” Non absoluteness of the right was also recognised by the apex court in the form of restrictions as provided for the genuine aims and objectives of state.

V. AADHAAR’S ROLE IN CURBING MONEY LAUNDERING & BANKING FRAUDS

On being questioned by CJI Dipak Mishra, how the linking of Aadhaar to bank accounts is going to scrub tax evasion, black money and bank frauds. The centre’s response was “The authorities have been able to extract Rs33, 000 crore, which was earlier not taxed at all, through the ‘voluntary seeding’ of Aadhaar with PAN cards and the amount may rise ‘exponentially’ if this linking is made mandatory.” (Mishra H., 2018)

Tushar Mehta (Additional Solicitor General), on behalf of UIDAI said, “Now the banks are mandated to verify the identity of their customers and the **Prevention of Money Laundering Act** (PMLA) is no more a ‘toothless law’ after it has been strengthened. The PMLA has become stringent since 2013 and the amended rules under PMLA mandates provision of Aadhaar number to open a bank account, and linking Aadhaar number with PAN would prevent income

tax evasion, circulation and use of black money” (PTI, How Aadhaar would curb money laundering, asks SC, 2018)

“The Supreme Court slammed the government for suggesting Aadhaar as the panacea for all ills in the system, including bank frauds, court said, *the bank knows whom it is giving loan to and it is the bank officials who are hand in glove with the fraudster. Aadhaar can do little to stop it, said the five-judge constitution bench.*” (Aadhar Case, 2018)

The government claimed in the apex court that the prevention of Money Laundering Act, 2002 was amended under the auspices of finance ministry to change the various ways of capturing complete details using telecommunication and banking services.

“The changes in the Act will also enable customers to submit Aadhaar details to companies voluntarily, thereby paving the way for remote onboarding, which had stopped after a Supreme Court order last year.” (Bhakta, 2019) “The notification from the government brings in the different modes through which full customer details can be captured, Aadhaar E-KYC, electronic documents which are digitally signed and digital KYC,” said Wriju Ray, cofounder, IDfy, a Mumbai based digital KYC solutions provider. “PMLA is the means through which lenders, investment platforms and telecom companies are authorised to capture customer details before onboarding them on to their platforms. The amendments have also added electronic documents besides physical documents, which will now allow regulated entities to capture full customer details through E-KYC as well, removing the need for physical papers and photos. Besides the remote KYC process, the amendment has also cleared a digital KYC process for offline checking of documents where an agent of the company visits the customer in person. Changes in the PMLA will facilitate the use of Aadhaar for the customer verification process required to open bank accounts. This had been one of the key demands of Telco’s and banks.” (Bhakta, 2019)

Linking Aadhaar is not too much avail in curbing financial offences as is evident from the various scams being committed such as Vijay Malya, Nirav Modi, Anil Ambani where the bankers are too deep in shit with the scammers in the name of loans. The government itself doesn’t take cognizance of such activities unless pressured by the public only when it is too late. On the other hands it is quite dominant to recover small scale loans from students, farmers, workers etc. the Aadhaar amendments bill was signed on 24/07/2019 allowing voluntary use by private sectors.

“The Bill allows voluntary use of Aadhaar as proof of identity for users to open bank accounts and get mobile phone connections. It also provides for a firm Rs 1 crore penalty and a jail term for private entities for violating provisions on Aadhaar data. It further provides for use of Aadhaar number for KYC authentication on voluntary basis under the Telegraph Act, 1885, and the Prevention of Money Laundering Act, 2002.” (PTI, As Parliament Passed Aadhaar bill, Ordinance On Its Use No Longer Survives, Centre Tells HC, 2019)

VI. REMEDIES AGAINST VIOLATION OF ‘RIGHT TO PRIVACY’ BY BANKS

Following remedies are available in case of infringement by banks of a client’s privacy:

1. Under ‘Credit Information’s Companies Regulations’, 2006; he can approach Reserve Bank of India (violation of clients confidentiality under contract).
2. Under I.T. Act (discloser of personal economic data).
3. Writ petition to High Court or Supreme court (violation of fundamental right to privacy).

VII. CONSEQUENCES OF COMPULSORY LINKING OF AADHAAR TO WELFARE SCHEMES

The mandatory linking of Aadhaar to government welfare schemes has profitably resulted in quite effective distribution to the genuine people thereby curbing the menace of middle man to some extent as well as cutting the means of fake receivers to a large extent. The agencies responsible for such distribution are saving time and money and working in a more coordinated manner as compared to the previous position. The subsidies given on LPG connection through “Pradhan Mantri Ujjwala Yojana” is apparently more successful in reaching its core destination. PMJAY – Pradhan Mantri Jan Arogya Yojana also properly known as Ayushman Bharat Yojana is another milestone in the proper utilisation and distribution of resources keeping in mind the constitutional principles enshrined in the Directive principles of policy.

Obligatory connecting of Aadhaar for government welfare schemes all through the 'Benefit Transfer chain' introducing 'Direct benefit transfer' by means of Aadhaar. Aadhaar empowered bank accounts maintained by the holder himself diminishes the odds misuse.

The verification of a person's identity has become easier and faster through the means of Aadhaar. The time consumed in verification of various utility services such as passport, Voter id, Sim cards, Driving License, PAN card has reduced drastically. Moreover, the services provided by Digi locker help you carry and verify many documents through electronic and internet medium. In short Aadhaar is full of possibilities.

VIII. SHORTCOMINGS

Just as the Aadhaar is full of possibilities, there are also a lot of loopholes and it is our constitutional and moral duty to help in the patching of those. Well-known economist and Professor of Ranchi University 'Jean Dreze' in "Economic and Political weekly" pointed out that "Aadhaar based authentication in Jharkhand's 'Public Distribution System' (PDS) has led to serious exclusion problems & prevented vulnerable groups such as, widows & elderly from accessing their entitlements." (Padmanabhan, 2019)

Jan Dhan scheme was brought into force to provide the economically weaker section of the society to come forward by provided them with subsidised benefits linked with their Aadhaar account. To achieve this the bank account opened under the were linked with bank accounts of the same holder and the maintenance charges for such accounts were kept low in comparison to a normal account. The banks all of a sudden started levying hefty fines on those accounts in the name of maintenance against the very purpose of the scheme.

"A development consultancy named 'Idinsight' in a 2017-18 report claimed that around two million individuals are excluded every month from PDS because of Aadhaar related reasons." (Sharma, 2018)

Former USA secret service CIA employee 'Edward Snowden' said in one instance that "Aadhar is a mass surveillance system it will lead to the death of all Rights of Indians."

According to the Government's 2019 Economic Survey, "This year itself, economic survey was found commending the government to sell & monetise by selling the Vehicle owner's data in the 'Vahan Database'. This definitely threaten personal data safety of individuals in India. In this overwhelmingly commercial approach, no one seems to view data as a facet of fundamental human rights. Unless we revert to this equilibrium, I fear, sadly, Aadhaar and its

amendments will remain data of the people, for the government by semi-private and private agencies!” (Mishra S., 2019)

IX. CONCLUSION

The right to privacy is one of the sacred rights for the healthy life and full development of various faculties of a person. The full potential of a person is likely to be hindered if a person is not given the opportunity to separate his interests from others. The choice of food, attire, religion, family, education and procreation among others are not only a matter of fundamental freedoms but also a concern of one’s privacy. The apex court clarified the position related to privacy and Aadhaar in Puttuswamy and Aadhaar case laid down that, “Aadhaar was never intended to be one country, one card, one identity concept. Secondly, it is not an exclusive card. Thirdly, it is not a certificate of truth viz that its holders alone have required proof of identity and not holders of other cards. Fourthly, it is not a tool of exclusion. Fifth, it is not a data collection tool. Sixth, it is obviously not a tool of control, surveillance or snooping by the state. Last but not the least, it was never intended as an authentication tool usable by private agencies/ companies.” (Singhvi, 2019)

Section 57 of Aadhaar act before the amendment read as, “Nothing contained in this Act shall prevent the use of Aadhaar for establishing the identity of an individual for any purpose whether by the State or anybody, corporate or person... In a long discussion in the Aadhaar Judgment (paras 355 to 367), Section 57 was struck down as unconstitutional, being overbroad. The fastest reincarnation of the same invalid section 57 is now found in 5(7) of the current amendment Act, where a similar blanket provision, specifically overriding all other provisions, allows mandatory use of Aadhaar alone if Parliament by any law (not yet specified) so provides. Sections 24 and 25, additionally reflect a similar reincarnation in the amended Act.” (Singhvi, 2019)

Aadhaar is but one of the facets where privacy concerns have been highlighted to the common for the mere reason of its large outreach. Many other legislations frequently encroach upon the privacy especially the laws related to the cyber realm are highly inadequate in keeping pace with the current advancement and technological changes. Data protection law based on the western model could be beginning step towards such advancement. Not that there is any shortage of talent in India either in cyber field or be it the legal domain. Still the ignoramus behaviour of the government regarding the issue is a matter of concern for public liberty.

In spite of the fact that administration over and over says that privacy is anything but a flat out right' one needs to forfeit a piece of it to get advantage of government welfare plans or appropriations. As I would see it, it is adequate that Right to privacy ought to be dependent upon sensible limitations for counteraction of wrongdoing and jumble and for wellbeing and ethics and Rights and opportunity of residents as it were. People cannot be asked to sacrifice their privacy to protect their economic interests for life is not all about money, further to ask so would be like asking the poor to trade their fundamental rights for monetary considerations or putting them in such a position where they have no other options. In the expressions of American political Specialist, Clinton Rossiter, "Privacy is not a right against the state only but a right against the world too. An individual does not want to share his thoughts with the world and this right will help protect his interest." The researcher in the end derives at the conclusion that 'personal data protection law' is the need of the hour and should be given way as soon as possible.



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