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RIGHT TO PRIVACY AND INTERNAL SECURITY OF INDIA

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ABSTRACT

Internal security and the right to privacy in India are two important but occasionally conflicting goals. The Indian Constitution recognizes the right to privacy as a fundamental freedom, but it also places a duty on the government to ensure the safety and security of its citizens. To establish a balance between these two goals, privacy laws, surveillance procedures, and data protection regulations must be carefully evaluated.

The Indian government recently implemented a variety of measures to enhance internal security, including biometric identity systems and increased law enforcement monitoring capabilities. Yet these efforts have also raised concerns about a potential infringement of people's privacy.

The right to privacy was established and is being upheld in India thanks in large part to the courts. In 2017, the Supreme Court of India proclaimed the right to privacy to be a fundamental freedom that is guaranteed by the constitution. Many judicial challenges to the government's monitoring and data collection strategies have been launched since then.

Consequently, it remains challenging and continuing in India to achieve the right balance between internal security and privacy. Government must continue to implement measures to protect citizens from security dangers while also ensuring that these measures respect people's right to privacy.

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INTRODUCTION

Every society's language includes the word "privacy." It is a human value that permeates human conduct. Under the protection of human dignity, it maintains human autonomy. A man's demand for seclusion to set personal boundaries and prevent others from entering that space naturally arises.

The right to privacy is the demand made by people, Organization's, groups to decide for themselves how, when, and to what degree information about them is shared with others. A person's intentional and temporary departure from society by physical or psychological methods, whether in a state of isolation, small-group intimacy, or while interacting with larger groups, in an anonymous or reserved manner, is known as privacy. The solitary is particularly significant among the four states of privacy, which include solitude, intimacy, anonymity, and reserve.

An awareness of identity requires separation. To develop their own emotions, ideas, and values, people need to occasionally feel alone or at least lonely. The only time a person has a sensation of seclusion is often when they experience intellectual, aesthetic, and religious concern as well as creative activity. If this sense of separateness is to fully develop, one must be relatively free from intrusion into their privacy and be able to think freely without worrying that their thoughts will be watched by others. Individual development also depends on the confidentiality of intimate relationships, where sentiments may be openly expressed, partially developed, and sometimes even contentious concepts can be addressed. Also, intimate connections provide the required emotional release since people may let off their "masks" and express their illogical feelings there. Information control is a key component of adult sentiments of love and friendship since such emotions heavily rely on the selective disclosure of information, or the private revealing of intimate truths. In order for there to be trust in a relationship, it is often required for people to be able to fulfil their obligations to one another without being closely watched. Controlling information about oneself is crucial for additional reasons. Almost everyone has a good deal about himself that

he does not want known. Some things he may want known by no one else; others he may not mind disclosing to close acquaintances. Broader disclosure than one wants can be acutely and painfully embarrassing and it can lead to a variety of adverse consequences.

BACKGROUND

What is meant by the word "privacy"? Many connotations swarm in the thoughts of the person trying to examine privacy to provide a solution to this topic. The privacy of private property, privacy as a proprietary interest in name and image, privacy as the keeping of oneself, privacy of internal affairs of a charitable organization or business corporation; respect for privacy is respect for another person's desire not to disclose or has done, the privacy of sexual or family affairs. The need for privacy is the desire to avoid being seen by someone or something. There are various phrases that are connected to and contrast the privacy of private citizens with that of public authorities, such as freedom, autonomy, publicity, secrecy, confidentiality, intimacy, and so on.

The following question is whether privacy may be accorded the same standing as a right as the rights to life, to education, etc. One must first comprehend what constitutes a "right" in -order to be able to respond to this issue. A privilege that a person has over a certain object is called a right, and he or she can choose whether or -not to use it. A right also has associated obligations. Using this broad understanding of a right to privacy would essentially provide a favorable outcome. Firstly, it is incumbent to an individual to assert his or her right to privacy with regards to personal information. He has the option to make his information public if he wants. So, the decision to exercise, claim, or waive privacy is up to the individual. Second, in -order to exercise privacy, one must also respect the private rights of others. Moreover, Article 19(2) of the Indian Constitution allows for reasonable limitations on basic rights.

CONTEXT

The right to privacy is the demand made by people, organizations, or groups to decide for themselves how, when, and to what degree information about them is shared with others. A person's intentional and temporary departure from society by physical or psychological methods, whether in a state of isolation, small-group intimacy, or while interacting with larger groups, in an anonymous or reserved manner, is known as privacy. The solitary is particularly significant among the four states of privacy, which include solitude, intimacy, anonymity, and reserve.

SIGNIFICANCE, SCOPE AND DEFINITIONS

India's internal security and right to privacy are important for several reasons. The Indian Constitution recognizes the right to privacy as a basic right. It is a fundamental right that guarantees people have control over their personal data, which includes information about their identity, connections, and communications. For people to live independently and with dignity, they must have the right to privacy. The stability and efficiency of the Indian state depend heavily on internal security. One of the main duties of the government is to ensure the safety and security of its inhabitants. Terrorism, insurgency, cyberthreats, and other criminal activity are all dangers to internal security. The challenge lies in balancing the right to privacy and internal security interests. The government must ensure that security measures do not violate individuals' privacy rights. At the same time, privacy concerns should not hamper the government's ability to safeguard national security. The significance of the right to privacy and internal security lies in the legal framework that governs them. The Indian Constitution provides for the protection of fundamental rights, including the right to privacy. The judiciary plays a crucial role in defining and enforcing these rights. Balancing privacy and security are also crucial for building citizens' trust in the government. Citizens must trust that the government is taking adequate measures to protect their security while also safeguarding their privacy.

In conclusion, the right to privacy and internal security are significant for protecting citizens' fundamental rights, ensuring national security, and

building trust in the government. Finding the right balance between these two interests requires careful consideration and implementation of legal frameworks and measures.

DETAILED ANALYSIS

Privacy, despite a long history of the term in legal, political and philosophical lexicons is still in search of a definition. Privacy means different things to different men. It is an elusive concept, difficult to define. It is to choose to mix or not to mix; to participate or to seek solitude; to share information with other or to withhold it; it is the issue of free choice; it is the right to be left alone; it is the state we would like to be in; it is to control the direction and ordering of one's own affairs.²

MEANING

The capacity of a person or organization to seclude themselves or information about themselves and therefore selectively disclose oneself is known as privacy (from Latin Privatus, "separated from the others, deprived of anything, especially office, participation in government," from Privo, "to deprive"). Although the parameters and substance of what is deemed private vary among cultures and people, there are certain fundamental characteristics that are universal. Anonymity, the desire to go undetected or identifiable in public, and privacy are sometimes associated. A person's inherent specialness or personal sensitivity are typically indicated when something is considered private to them. Because public perception of information varies geographically and throughout time, so does the extent to which private information is disclosed. Privacy encompasses the ideas of responsible usage and information protection and is wider than security. We all intuitively know that some areas of life are "private," and we see these aspects of life as being interconnected. But what does it mean when we say that these aspects of life are "private"? This question is very important for making legal and policy decisions. Many recognize the importance of privacy for freedom, democracy, social welfare, individual well-being, and other ends. Many also assert it is worth protecting at significant cost. One of the meanings of the term privacy is the state of being private; retirement or

² John B Young, Privacy, New York, JOHN WILEY & SONS (1978), at p. 4.

seclusion³; the right to be let alone, the right of a person to be free from unwarranted publicity, the right of individual to withhold himself and his property from public scrutiny, if he so chooses.⁴ The other meaning of the term privacy is the quality or state of being apart from company or observation, seclusion, freedom from unauthorized intrusion, place of seclusion, secrecy.⁵ The manner in which we use the word "privacy" in daily life and the things we mean when we use the term "privacy" are defined by how we use it. The capacity to avoid the revelation of information about oneself, freedom of thinking, control over personal information, freedom from monitoring, preservation of one's reputation, protection against house invasions, and an almost limitless list of other things are all described as having "privacy."

DEFINITIONS

The idea of privacy itself is a first hurdle in the study of privacy legislation. Privacy cannot be precisely defined, which causes issues. *J. B. Young* asserts that "privacy, like an elephant, is maybe easier to identify than to define. The word "private" carries emotional, subjective implications that represent a range of cultural ideals and issues. Furthermore, the idea itself is likely to change because privacy issues are, in large part, established in reference to a certain culture at a specific point in time. The concept of privacy is nebulous and hard to understand in the proper context.

They have defined privacy as "the right to be let alone"⁶, a right to act or not to act,⁷ the right of control over disclosure of oneself,⁸ or some amalgam of all three. Also linked to autonomy over some parts of one's life is privacy. These illustrations show that no one theory of privacy can adequately explain all the subtleties of the idea. Several writers from the west have made an effort to define the concept privacy. *Westin* sees privacy as "the voluntary

³ The Random House Dictionary, (1972) at p. 1054.

⁴ Black's Law Dictionary, (1968) at p. 1358.

⁵ Webster's New Collegiate Dictionary (1981) at p. 908.

⁶ *Olmstead v. United States*, 277 U.S. (1928) at p. 438

⁷ *Roe v. Wade*, 410 U.S. (1973) at p.179

⁸ R. Wacks, "The protection of privacy" (ed) (1980). cited in Krotoszynski, Ronald J. Jr, "Autonomy, Community, and Traditions of Liberty: The Contrast of British and American Privacy Law", *Duke Law Journal*, Vol. 1990, No. 6. (Dec., 1990), pp. 1398-1454

and temporary withdrawal of a person from the general society through physical or psychological means, either in a state of solitude or small-group intimacy or, when among larger groups, in a condition of anonymity or reserve.” Of the four states of solitude, intimacy anonymity and reserve, the solitude is of particular importance in that from time to time everyone wants to be alone and to withdraw from the immediate world into a mental or physical seclusion of his own it is deep facet of human nature, and mental privacy in particular is an essential condition for contemplation.⁹

IMPORTANCE AND FUNCTION OF CONCEPT OF PRIVACY

The concept of privacy is crucial for several reasons. Here are some of the most significant importance and functions of the concept of privacy. Privacy ensures that individuals have control over their personal information, which includes their identity, relationships, and communication. Without privacy, individuals would not have control over their personal information and could be vulnerable to abuse, exploitation, and discrimination. Without outside interference or criticism, people can grow in their sense of self and uniqueness thanks to privacy. It gives people the freedom to make decisions about their life without being influenced or under pressure from others. Maintaining human dignity and respect requires privacy. Without privacy, people could feel exposed, helpless, or degraded. Individuals may keep their sense of dignity and are shielded from being viewed as nothing more than objects or targets of monitoring thanks to privacy. Trust in social relationships must be established in the privacy realm. It enables people to openly share knowledge with others without worrying about criticism or retaliation. Forging close bonds with others and promoting mutual respect and trust, privacy is also crucial. For creativity and innovation, privacy is crucial. It allows people to think, explore, and create without worrying about being judged or exposed. Individuals' intellectual property is safeguarded by privacy, which also allows them to create and communicate their ideas with others.

⁹ Alan F Westin: Privacy and Freedom, 6th ed., Athenaeum, New York, 1970 at p.23

RIGHT TO PRIVACY & INTERNAL SECURITY OF INDIA

The right to privacy and *internal security* are two important but sometimes competing interests in India. On the one hand, the Indian Constitution recognizes the right to privacy as a fundamental right that protects individuals' personal information and autonomy. On the other hand, the government has a duty to ensure the safety and security of its citizens, which can involve **surveillance** and other measures that may impinge on privacy rights.

Finding the right balance between these interests is a significant challenge in India, particularly in light of the growing threat of **terrorism**, **cybercrime**, and other security risks. The government has implemented various measures to enhance *internal security*, such as **biometric identification** systems, increased surveillance powers for law enforcement agencies, and data retention regulations. However, these measures have also raised concerns about the potential infringement of citizens' privacy rights.

In recent years, the *Indian judiciary* has played a significant role in defining and protecting the right to privacy. In 2017, the Supreme Court of India recognized the right to privacy as a fundamental right under the Constitution, which has significant implications for **data protection**, surveillance, and other privacy-related issues.

Kesavananda Bharati¹⁰ was a significant case that the Supreme Court of India heard in 1973 about Indian constitutional law. ***Kesavananda Bharati***, a seer of a Hindu monastery in Kerala who submitted the petition against the Kerala government's land reform regulations, was the inspiration for the case's name. The case addressed several crucial issues, including the interpretation of the Constitution, the extent of Parliament's power to amend the Constitution, and the relationship between fundamental rights and constitutional amendments. As a result, the case had significant implications for Indian constitutional law.

According to the Supreme Court's ruling, Parliament cannot rewrite the Constitution in a way that changes its fundamental design. Moreover, the Court made it clear that while Parliament did have the authority to amend the Constitution, this authority was not unqualified and could not be used to change the Constitution's fundamental provisions. The ***Kesavananda Bharati*** case established the judicial review concept and severely restricted the Indian government's ability to modify the Constitution. The ruling was an important milestone in Indian constitutional law and is seen as a turning point in the evolution of that country's legal system.

¹⁰ '29981.Pdf' <<https://main.sci.gov.in/jonew/judis/29981.pdf>> accessed 23 November 2024.

*Puttaswamy v. Union of India*¹¹ is another significant case that the Supreme Court of India heard in 2017. It relates to Indian constitutional law. **The Aadhaar** (Targeted Delivery of Financial and Other Subsidies, Benefits, and Services) Act, which required the use of **biometric identification numbers (Aadhaar)** for various government services and program, was the subject of the case, which contested the constitutionality of some of its provisions. The lawsuit was brought by a group of petitioners who claimed that the Aadhaar Act infringed persons' rights to privacy and dignity under the Indian Constitution. The petitioners included retired judges, campaigners, and civil society groups. In its judgment, the Supreme Court recognized the right to privacy as a fundamental right under the Constitution, affirming the principles established in the *Kesavananda Bharati* case. The government's required use of Aadhaar for a number of services, according to the Court, violates persons' rights to privacy and dignity and is thus unconstitutional. Given that it recognized the right to privacy as a basic right and established standards for the collecting and use of personal data by both public and commercial bodies, the *Puttaswamy* case had a significant impact on data protection and privacy in India. The ruling has been regarded as a breakthrough in Indian constitutional law and has established crucial precedents for disputes involving privacy and data protection in the future.

Overall, the right to privacy and internal security are both essential for protecting citizens' fundamental rights and ensuring the stability and functioning of the Indian state. Finding the right balance between these interests requires careful consideration.

¹¹ Justice KS Puttaswamy, 'IN THE SUPREME COURT OF INDIA CIVIL ORIGINAL JURISDICTION WRIT PETITION (CIVIL) NO. 494 OF 2012'.

KEY COMPONENTS OF INTERNAL SECURITY

India's internal security framework includes several critical elements that work together to protect the country from various threats:

CHALLENGES TO INTERNAL SECURITY

Counter-Terrorism Efforts: Terrorism in India has been fueled by both domestic insurgencies and cross-border activities. The rise of groups like **Lashkar-e-Taiba**, **Jaish-e-Mohammad**, and various regional insurgent organizations has placed a significant strain on the country's security apparatus. The government has adopted both preventive and punitive measures, including military actions and counter-terrorism laws like the **Unlawful Activities (Prevention) Act (UAPA), 1967**.

1. **Insurgency and Naxalism:** Left-wing extremism, or Naxalism, remains a persistent threat in several states, including **Chhattisgarh, Jharkhand, Odisha, and Bihar**. These groups aim to overthrow the state through armed struggle, often exploiting local grievances related to poverty and underdevelopment. The government has implemented the Security Related Expenditure scheme and utilized the **Central Reserve Police Force** to counter these threats.
 2. **Border Management and Cross-Border Threats:** With a long and porous border with **Pakistan, China, Bangladesh, and Nepal**, India faces constant security threats from across its borders. **Smuggling, infiltration of militants, and espionage** are persistent concerns. The government has reinforced border security using agencies like the **Border Security Force** and the **Indo-Tibetan Border Police**.
 3. **Cybersecurity:** The rise of the internet and digital technologies has introduced new security challenges, including cyberattacks, hacking, and online radicalization. Cyberterrorism and the use of social media platforms to spread extremist ideologies have posed a significant
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4. challenge to India's internal security framework. The National Cyber Security Policy 2013 and the establishment of **the Indian Cyber Crime Coordination Centre (I4C)** are part of efforts to address these threats.
5. **Organized Crime and Drug Trafficking:** The rise of organized crime, including drug trafficking, human trafficking, and arms smuggling, poses a significant threat to law and order in various regions. The government has used anti-crime laws such as the **MCOCA** to address organized crime syndicates.
6. **Weak Law Enforcement Infrastructure:** In some parts of India, law enforcement agencies face challenges such as outdated equipment, inadequate training, and lack of coordination between various security agencies. This can result in delays in responding to threats, hampering internal security efforts.

Internal Security Agencies:

1. **Central Bureau of Investigation (CBI):** The CBI is India's premier investigative agency and handles cases related to organized crime, corruption, and terrorism.
 2. **National Investigation Agency (NIA):** The NIA is responsible for investigating and prosecuting cases related to terrorism and acts that threaten national security.
 3. **Central Reserve Police Force (CRPF):** The CRPF plays a key role in counterinsurgency and riot control in areas affected by internal security threats.
 4. **Border Security Force (BSF) and Indo-Tibetan Border Police (ITBP):** These forces are tasked with securing India's borders and preventing infiltration from hostile elements.
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5. **Intelligence Agencies (RAW, IB):** The Research and Analysis Wing (RAW) handles foreign intelligence, while the Intelligence Bureau (IB) deals with domestic intelligence gathering. Both play crucial roles in safeguarding internal security.
6. **The National Security Council (NSC):** The NSC, headed by the Prime Minister, oversees the country's national security policies and coordinates between various security agencies. It serves as an advisory body on matters relating to national security and internal stability.

MEASURES AND REFORMS FOR STRENGTHENING INTERNAL SECURITY

Several measures have been undertaken by the Indian government to address the challenges posed to internal security:

1. **Counter-Terrorism Strategies:** The government has adopted a multi-pronged approach to counter terrorism, combining military action, intelligence gathering, and diplomatic efforts. Special forces like the National Security Guard (NSG) are used for counter-terrorism operations.
 2. **Development and Engagement in Conflict Zones:** Addressing socio-economic issues in conflict-affected areas, especially the North-East and Left-Wing Extremism areas, is crucial for long-term peace. Development initiatives such as better infrastructure, education, healthcare, and job creation are being implemented to address the grievances of marginalized communities.
 3. **Cybersecurity Initiatives:** The establishment of the Indian Cyber Crime Coordination Centre aims to combat cybercrime by facilitating better coordination between law enforcement agencies, as well as by enhancing cyber awareness among the public.
 4. **Reforming Security Forces:** The modernization of police forces and other security agencies, including upgrading equipment, enhancing
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5. training, and fostering greater cooperation between state and central agencies, are part of the government's efforts to strengthen internal security.
6. **Public-Private Partnerships in Security:** Collaborations between the public and private sectors, particularly in cybersecurity, infrastructure protection, and intelligence sharing, are essential in dealing with new- age security threats.

LEGAL LANDSCAPE FOR PRIVACY

India is a signatory to the **Universal Declaration on Human Rights** (*Article 12*)¹² and the **International Convention on Civil and Political Rights** (*Article 17*)¹³ – which acknowledge that the right to privacy is a basic one. India is a member and signatory of several agreements; however, it does not have any legislation that provide its inhabitants with a right to privacy. The courts in India have attempted to enforce a right to privacy in favour of its citizens through two main channels, namely the recognition of a constitutional right to privacy, which has been read as a component of the rights to life, personal liberty, and the freedom of expression and movement guaranteed under the Constitution; and a common law right to privacy, which is available under tort law and has primarily been borrowed from American law. It must be mentioned at the outset that the privacy is not a very strongly enforced right in India and there are a number of exceptions to the right to privacy which have been carved out by the Courts over a period of time, which we shall discuss later in this section.

LEGISLATIVE DEVELOPMENTS/ LAWS RELATED TO INTERNAL SECURITY:

The Indian government has proposed and implemented several legislative measures that directly or indirectly affect privacy in the context of national security.

1. **The Personal Data Protection Bill (PDPB), 2019**¹⁴: This bill seeks to regulate the processing of personal data, and it introduces provisions for data localization and restrictions on the use of personal data. However, critics have raised concerns over certain clauses that grant

¹² United Nations, 'Universal Declaration of Human Rights' (*United Nations*) <<https://www.un.org/en/about-us/universal-declaration-of-human-rights>> accessed 23 November 2024.

¹³ 'International Covenant on Civil and Political Rights' (*OHCHR*) <<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>> accessed 23 November 2024.

¹⁴ The Personal Data Protection Bill, 2019

the government sweeping powers to access personal data under the guise of national security.

2. **The Surveillance and Intelligence Bill:** Proposals for an all-encompassing surveillance framework have raised alarms regarding its potential to infringe on the privacy rights of citizens. Such laws would require clear and effective oversight mechanisms to prevent abuse by state agencies.
3. **The National Security Laws¹⁵:** Provisions like the **UAPA**, which provides for detention without trial, and the Armed Forces (Special Powers) Act (**AFSPA**), National Security Act (**NSA**), 1980 have sparked debate about the balance between counterterrorism efforts and fundamental rights. These laws have been criticized for their potential to be used against political dissent and minority groups under the pretext of maintaining national security.

The Supreme Court of India initially acknowledged the right to privacy as a fundamental element in the 1962 decision of *Kharak Singh v. Union of India*, which dealt with the police's ability to physically check on repeat criminals (also known as history-sheeters). Although two Judges disagreed with this interpretation and found that the right to privacy is a part of the right to life and personal liberty, The majority of the case's three judges unequivocally dismissed the existence of such a right

“...the right to personal liberty takes in not only a right to be free from restrictions placed on his movements, but also free from encroachments on his private life. It is true our Constitution does not expressly declare a right to privacy as a fundamental right, but the said right is an essential ingredient of personal liberty.”

After the case of *Govind v. State of M.P.*¹⁶, the right to privacy was firmly established as a fundamental right guaranteed to the citizens of India, but with a limited scope and a number of exceptions. We could discuss all the judgements that have sculpted the constitutional jurisprudence on privacy in Indian law, but for the sake of brevity and to avoid repetition we will just summarize the ratio from those cases in a few bullet points:

- a) Reasonable limitations on the right to privacy may be imposed in the interests of India's sovereignty and integrity, the security of the State, friendly relations with other countries, public order, decency, or morality, or in cases involving judicial contempt, defamation, or inciting

¹⁵ The Unlawful Activities (Prevention) Act, 1967.

¹⁶ K Gupta and others, 'JUDGMENT: ORIGINAL JURISDICTION : Writ Petition No. 72 of 1970. Petition under Article 32 of the Constitution of India. A.'

criminal conduct;¹⁷

- b) Reasonable restrictions can be imposed upon the right to privacy either in the interests of the general public or for the protection of the interests of any Scheduled Tribe;¹⁸
- c) *The Maneka Gandhi case* set forth a condition that must be met for a legal procedure to be able to restrict the right to privacy.¹⁹
- d) The right can be restricted if there is an important countervailing interest which is superior; It can be restricted if there is a compelling state interest to be served by doing so; It can be restricted in case there is a compelling public interest to be served by doing so;²⁰
- e) The **Rajagopal tests**²¹ - This case lays down three exceptions to the rule that a person's private information cannot be published, viz.
 - person voluntarily thrusts himself into controversy or voluntarily raises or invites a controversy,
 - if publication is based on public records other than for sexual assault, kidnap and abduction,
 - public officials have no right to privacy with regard to their actions and behavior that are related to performing their

¹⁷ Article 19(2) of the Constitution of India, 1950

¹⁸ Article 19(5) of the Constitution of India, 1950

¹⁹ *Maneka Gandhi v. Union of India*, Supreme Court of India, WP No. 231 of 1977, dated 25-01-1978. The test laid down in this case is universally considered to be that the procedure established by law which restricts the fundamental right should be just, fair and reasonable

²⁰ *Govind v. State of M.P.*, Supreme Court of India, WP No. 72 of 1970, dated 18-03-1975

²¹ *R. Rajagopal v. Union of India*, Supreme Court of India, dated 7-10-1994. These tests have been listed as one group since they are all applicable in the specific context of publication of private information.

official obligations. Although the Court refers to public records, it omits the word "public domain," therefore it is feasible that even if a document has been leaked into the public domain and is easily accessible, if it is not a part of public record, the right to privacy can still be asserted with relation to it.

CONCLUSIONS

In conclusion, the protection of people's fundamental rights as well as the stability and efficiency of the Indian state depend on both the right to privacy and internal security. These interests, however, could conflict since steps made to increase internal security may violate people's right to privacy.

The judiciary has been essential in establishing and upholding the right to privacy, which is recognized as a basic right under the Indian Constitution. The crucial precedents set by the landmark rulings in the *Kesavananda Bharati* and *Puttaswamy cases* will help India read its constitution and defend its citizens' rights to privacy.

Internal security and the right to privacy must be balanced appropriately, which calls for careful thought, the implementation of legislative frameworks, and policies that protect private rights while addressing security issues. It is crucial to make sure that any steps made to improve internal security do not violate citizens' basic rights, such as their right to privacy.

Ultimately, to safeguard individuals' basic rights and ensure the stability and efficiency of the Indian state, a strong legal system and a balanced strategy that supports both privacy and security interests are required.