

## New Privacy policy of WhatsApp: A Controversy

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### Introduction

WhatsApp is the main app and the only possible way from where users can faithfully send messages, photos share all their private information without any issues. There were a lot of friends groups family groups are on WhatsApp where they share their private information openly without any hesitation. While using these platforms, it is also important that our privacy is not get lost or compromised. Because Right to privacy is our fundamental right under article 21 of constitution of India, and if any social media app or platform use our private information and share it with third party without users consent then it is breach of our right i.e right to privacy, because the tapping or sharing personal messages of a person is also known as violation of right to privacy. The privacy policy led to the concerns and fears that users data might not be protected because it is share to Facebook and then Facebook use data to improve its products and ads. This new privacy policy has lead many users to switch to Apps like Telegram and Signal as they are concerned about compromising their privacy.

### What was the Issue

The WhatsApp announce new notification, it is related to the updated privacy policy and 8 February was kept as a deadline for new terms to be accepted. In which they stated that WhatsApp will allow Facebook to access the messages and other data like location area, codes, photos, account information etc, and thus users share Business information about on messenger app. This will help Facebook to gain profit by studying users behaviour and also they send this information to another company so that they will be targeted advertising. The new update policy of WhatsApp caused much confusion to users since it is related to data privacy. Users fear that their private information on like messages and other information about share with Facebook, so there is a lot of misinformation causing the concern within users. This controversy is caused by WhatsApp because of sharing users information with its parent company Facebook

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So those users who agree for this indirectly allows Facebook to host this service and to share users information to third party services. Those users who do not accept the updated privacy policy will no longer be able to use WhatsApp.

In 2018 the UK's information commissioner's office made assign to WhatsApp that WhatsApp publicly cannot share personal data with Facebook until both can do it in a way that it is not valid under general data protection regulation and according to reports of French data agency WhatsApp did not have a legal basis to share user data under French law.

Various privacy experts and antitrust bodies have also raised alarm at this new policy of WhatsApp the government will need to pay attention to this because according to data protection bill the personal data resides in servers located within the country.

The main goal behind this policy is to address how people will talk to business all the data which is collected is related to business chats only. so WhatsApp says that the new policy doesn't affect the privacy of messages with friends and family and they provide further transparency about how they collect and use the data. So neither Facebook nor WhatsApp can see private messages and they don't share any location call logs and contacts with Facebook. Under this new policy, Facebook manages all businesses related to chats and also help businesses to chats with their customers, can send helpful information related to marketing. Also, Facebook shops commerce feature via WhatsApp allows a person shopping activity to be used to show related ads on Facebook.

### **The Main Concern**

Though this new policy is trying to make money out of WhatsApp and it makes sense from a business perspective. But in the case of privacy, it is problematic. Because we do not know what's the next plan of companies behind this and it may create a privacy issue. So a lot of people about 810,000 users installed the signal for a more secure and encrypted mode of communication. When we used social media, we openly disseminate a lot of our private information there, but this private information can spread rapidly on social media and your most important right which is right to privacy is likely to be lost. In case of K. Puttaswamy's judgement The supreme court held that right to privacy is a fundamental right, now the WhatsApp new policy is yet another reason why India needs data protection law. In India according to data protection bill which was introduced in parliament in 2019, WhatsApp move would have been illegal and in data bill, it is mentioned that every data intermediary has to take explicit permission from the users whose data would be harvested, if WhatsApp automatically share the data then it can not be considered as intermediary. As per Srikrishna committee report, the updated privacy policy of WhatsApp does

not have any reasonable purpose and it is seen as a move to ensure subtle forms of commercial exploitation and micro-targeting by political campaigns also they study the behavior of users and targeted advertising. Through this new policy, Whatsapp can share metadata of users in which every person private information, online activity and everything beyond communication is covered. Those users who disagree with this new policy they will have to quit WhatsApp.

### Conclusion

social media become one of the essential parts of our life. It connects everyone in society, on the social platform, it helps to social interaction and access to news and information. While interacting with social media users share their private information and their habits, birthdate, geographic locations etc. while enjoying the information sharing on social medias, yet it requires a great deal for security and privacy. The security and privacy of users and their data are core issue related to social media. There are various threats to the privacy of a person like data mining, phishing attempts, malware sharing, botnet attack. Because of commercial enterprise, the privacy of billion citizens is likely to be lost, so public awareness about privacy is most important. Most people agree to the terms without actually reading them. People may not be aware sometimes by sharing their private information on social media Platforms, they allow advertisers to track them or hackers to take advantage of their profile. So users of social media are indeed the architects of their own exposure.

WhatsApp privacy policy raises the question about what is the legitimate used of users personal data. Due to the misconception of security, users voluntarily post their private information on social media, which benefits governments, criminals, spies, and private companies. Therefore, the user should be careful to avoid such negative consequences. Any personal information should be filtered before posting. For the safety of the users, the government should put pressure on the operators of the social media sites and strengthen the laws so that the privacy of the users is not violated.