



ORIGINAL RESEARCH PAPER

Law

DIGITAL FOOTPRINT AND THE PRIVACY

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ABSTRACT

In the world of technological advancement, artificial intelligence, where sensitivity and emotions are cornered and the influence of virtual world has dominated the human life, living in the virtual world has been more consistent and fanciful then keeping real life relations. Having made significant the digital world as much as or say more significant than the real world has led to out the privacy of an individual at stake by leaving footprints in the digital world. The consequence of the digital world that is reel world has made the real life more stressful, looting the peaceful life of the humans.

INTRODUCTION

Presently, every human being is going through the Ultra Techno-savvy and materialistic phase of life, wherein each passing day making individual "Techno-Dependent". Nowadays, the virtual presence is much highly impactful to create a lasting impact on the mind of people and that too without any geographical constraints. Gone are the days that in order to make sales or do marketing of a Product, the only way for Manufacturer or his employees was to visit Shop to Shop for launching their products. This is the era, in fact the post Covid era times, where the world saw the rise of "Quick Commerce" and is experiencing the quickest services and the coolest services of Door Step Delivery in no time just by ordering on screens by finger tips and getting things physically. That means ordering things virtually and you get the product physically. Well, this makes so convenient for the end user to buy things by staying at home only. Whereas, the end user thinking he is getting Door Step delivery and his requirement is satisfied but factually the end user has given his personal and sensitive information to the unknown, unidentified service provider just for the sake of his convenience. That end user's personal data living behind him his traces i.e. his Footprints virtually or lets say Digital Footprints.

The mental pressure to be at the top in the Virtual world leading an individual to remain more present in the virtual world, and making distance with the real life people. That means, in the virtual world, it is easy to stalk through social media platforms rather than going physically behind someone.

With an annual growth rate of 3.91 per cent, India's average monthly usage reached 16.6 hours (1,000 minutes) by March 2025, while the number of internet users rose to a massive number of 96.9 crore (969.10 million), according to TRAI's Performance Indicators Report 2024-25. The report states that the Average Minutes of Usage (MoUs) per subscriber per month increased from 963 in 2023-24 to 1,000 in 2024-25. The number of internet users was 95.4 crore (954.40 million) at the end of March 2024, reflecting an annual growth rate of 1.54 per cent.

This is showing that, an Individual has started to choose LIVING MORE in the Digital world rather than in the real world. Therefore, as long as an individual keeps surfing the Internet, his Digital Trail i.e. his Digital Footprints are being found, which is very much vulnerable.

Now, it is noteworthy that, Digital Footprint and Privacy have Direct and strong relation. An individual's urge to remain more present and dominate in virtual world supersedes his want to keep his sensitive personal information confidential. So, vulnerability of data breach is at the highest level.

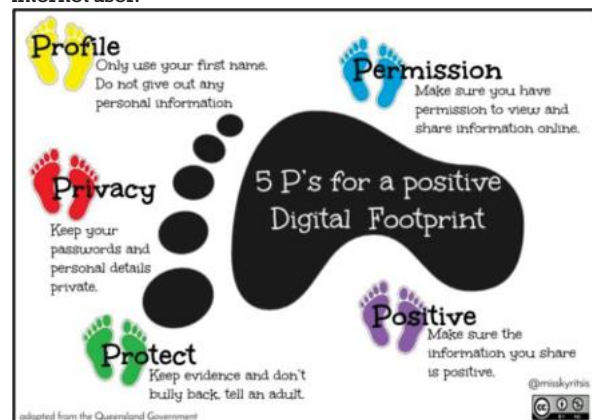
Leaving the Digital Footprints means letting the world know about your thinking, choices, beliefs, needs, wants, dreams, etc and everything. It is very significant to know that Digital Footprint are of Two Types, which are (i) Active Digital Footprint (ii) Passive Digital Footprint.

(i) Active Digital Footprint

The data an individual shares on his own in the virtual world that could be through social media platforms by any post, image, comment, e-mail, blog or any such detail of an event or anything shared voluntarily is the Active Digital Footprint an individual has posted willingly i.e. with consent.

(ii) Passive Digital Footprint

This is the type of Footprint that is analysed based on an individual's Active Digital Footprint. Based on the type of data shared by individual, his browsing activities are tracked, analysed, choices filtered by knowing cookies, IP address, Histories of websites visited, search engines history, etc. These are the footprints that is not being known or visible to the owner who is stalked virtually and then targeted marketing are done based on evaluation and desire of internet user.



Digital Footprint and the Privacy

When the humans with their technological inventions have already created a parallel universe which is virtual world, as mentioned above an individual is not only stalked in person but is also stalked in the digital world, so when talking about the Privacy of an individual, it has become a concern for the individual to maintain Privacy alongwith building social profiles to make their presence feel in the virtual world.

Although Privacy have been considered fundamental right of an Indian citizen and is inclusive of article 21 of Indian constitution. But the present situation is such that, an individual leaves his active digital footprint and also unknowingly leaves Passive Digital Footprint in the virtual world making third parties easy to make them as the customer by tracking them silently in a virtual world. But, to bring on the

table and to identify the violation of Right to Privacy has become vexatious as even the individual whose personal data is being compromised is unaware of the same. Moreover, if one knows about the data being leaked, do not known further proceedings to recover the same. Hence, cyber frauds, digital arrest are increasing day by day even with all those using having social media or even using cellular device. Most of the victims are old age person, illiterate people who are unknown about such scams going on in the digital world.

In India, Information Technology Act and IT Amendment Rules, 2026 (Intermediary Guidelines and Digital Media Ethics Code), Digital Personal Data Protection Act 2023 and rules framed etc are the laws being enforced by the central government which are aimed at safeguarding the interest of the citizens.

CONCLUSION

It is very difficult to maintain Privacy of an individual while leaving Digital Footprint of the user in the digital world. But, if the user makes himself aware and spreads awareness in the society regarding Privacy setting, cookies settings, avoids unnecessary use of public wifi, safe browsing options, not keeping public profile, not sharing too personal information which are easily accessible, not trusting third party websites, etc.

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