

An Evaluative Study of Symbiosis Between Digital Human Rights and e-Governance for a Just Democracy

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Abstract

In the present study the researchers have established interdependent relationship between the Government of India's flagship mission of E-Governance through Digital India Mission, various Information & Communication Technology (ICT) oriented schemes and the Human Rights of citizen which are expected to be safeguard while bringing the population at the Digital Space. The flow of the process of the Government might have changed its form from offline to online but safeguarding the core democratic values should be the prime objective of each and every institution functioning in the Democratic setup like India. It has been observed that the government through the means of ICT strive to serve the remotest part of the country but in this world of 5G there are also various sections of the society which are being neglected due to Digital Divide. The digital divide has its various forms, for example; Gender Divide, Regional Divide, Economic as well as Social Divide, etc. Due to these hurdles major chunk of the society is getting neglected from the main flow of the digital development. In addition to that incidence of internet shutdowns, lack of infrastructure, Cyber threats and bullying, etc are creating a sense of apathy among the citizen to use ICT means for availing government services. From the administrative side the modern form of red-tapism which is non-responsive towards solving citizen issues arise from the digital infrastructure is hampering the prime motive of the digital public service delivery mechanism. To increase the reach and scope of E-Governance, it is very important at this juncture to correlate the Human Rights at the digital space with the electronic governance.

Keywords: Digital Human Rights, Electronic Governance, Democracy, ICT, 5G, Digital Divide, Red Tapism. Internet Desert.

1. Introduction

Since the Ancient times in India the recourse to human rights is a prime concern for the Indian Society. Though it was not mentioned as Human Rights but its core components were incorporated under the moral paradigms of 'Dharma'. Various ancient scriptures exclusively mentioned about legal-ethical way of conduct for every person according to his/her status in society. In modern day society the Article 1 of the Universal Declaration of Human Rights (1948) clearly mentions about the individual liberty. As it

mentions “All human beings are born free and equal in dignity and rights.”¹ The journey of social progress has been earmarked by widening the scope of human rights in individual as well as collective sphere of the society. Various major incidences in history have shaped and broadened the scope of Human Rights. Karel Vesak a Czech-French scholar mentioned the notion of Three Generation of Rights in which he categorised human rights according to their nature and scope in the society². Due to the introduction of new technologies and modern way of living, the nature of rights to be ensured are also developing. Scholars involved in theorising Human Rights are categorising the new trend of rights into Fourth Generation of rights³. In this vast range of rights, the rights to be ensured in the sphere of digital space also comes under this category.

Modern day governance around the world on the other hand is also taking recourse to the recent technological developments to serve their citizen better in the perspectives of governance. Governments are utilising digital space to enhance their citizen service delivery mechanism. Particularly in India there are around 75.9 crore active internet users consisting around 39.9 crore Rural and 36 crore urban users⁴. Even further it is reflected from the study that the rural growth is commendable as it grows by 14% from the year 2022 and the urban India having around 71% of internet penetration⁵. This statistic shows India’s immense potential to use internet for various aspects of the people. The Government of India’s flagship mission ‘Digital India’ aims to cover significant aspects of human activities to serve better for the citizen of the country by empowering them digitally⁶. Starting from the Central Government to various local government institutions, there has been widespread use of ICT to make administration digital and increase its reach to the grassroot level. The National e-Governance Plan (NeGP) which started in way back 2006 has now incorporated 44 Mission Mode Projects (MMPs) in various domains like education, agriculture, legal services, health, taxes, documentation for availing various government services like passport, land records, etc.⁷ This mission’s core components lie on enhancement in digital infrastructure, 24x7 service delivery on demand and digitally empowering citizen. Taking cue from this various state governments also provided state specific services to the citizen with the help of ICT. Among them the BHOOMI project of Karnataka, SETU project of Maharashtra, AKSHAY portal of Kerala, e-Mitra service of Rajasthan, etc. are providing various G2B, G2C, B2C services at the doorstep of the citizen. Till now there are around 5.31 lakh CSCs are functioning around the country in which

¹ United Nations. (n.d.). Universal Declaration of Human Rights | United Nations. <https://www.un.org/en/about-us/universal-declaration-of-human-rights#:~:text=Article%201,in%20a%20spirit%20of%20brotherhood>. Referred on 10/10/2023.

² A 30-year struggle; the sustained efforts to give force of law to the Universal Declaration of Human Rights. (1977). The UNESCO Courier: A Window Open on the World, XXX(11), 29, 32. <https://unesdoc.unesco.org/ark:/48223/pf0000048063> Referred on 10/10/2023

³ Perepolkin S., Perepolkin D., Averianova M. (2021). Typology of the fourth generation of human rights JILC (Journal of International Legal Communication) 1(1), 91-101. <https://doi.org/10.32612/uw.27201643.2021.1.pp.91-101> Referred on 10/10/2023

⁴ P. (2023, May 4). Over 50% Indians are active internet users now; base to reach 900 million by 2025: report. The Hindu. <https://www.thehindu.com/news/national/over-50-indians-are-active-internet-users-now-base-to-reach-900-million-by-2025-report/article66809522.ece> Retrieved November 9, 2023

⁵ Ibid

⁶ Introduction of Digital India Mission. (n.d.). Retrieved November 9, 2023, from <https://digitalindia.gov.in/introduction/>

⁷ Introduction of Digital India Mission. (n.d.). Retrieved November 9, 2023, from <https://digitalindia.gov.in/introduction/>

almost 79% are operational in rural areas⁸. Through the network of CSCs there are around 400 citizen services being provided. Furthermore, the online platforms across the country are enabling citizen to avail services through their smartphones. It is pretty much evident that due to this digitally enabled mechanism more people are getting served by the present-day administration. It is improving ease of access, affordability, transparency and accountability in administration. Administration being the backbone of the government, act as an agent of government to the common people and the nature of interaction of the administration with the citizen reflects the characteristics of the government on broader scale.

The model of e-Governance has enhanced e-participation of the common citizen and due to its wide reach, it is referred as a channel of establishing e-Democracy⁹. The advancement in technology enabled democratic institutions to evolve and increase their capability to serve better to the masses. In Indian context the Democratic setup which is in continuous development phase since independence has also trying to inculcate the digital way of functioning through various modes of ICT enabled governance. Through the means of ICT, Indian democracy has empowered its institutions to inform, empower and participate citizens in its functioning.

It is evident that the e-Governance mechanism has brought many positive changes in the functioning of democracy. As far as the term Democracy is concerned, it has many aspects and characteristics. Various schools of thought while categorising democracy, emphasises over some notable characters like nature of political orientation, participation, rights that are to be ensured, etc. and according to that the type of democracy use to get defined. The notable examples are Direct, Representative, Parliamentary, Pluralist, Deliberative Democracy, etc. Going further in classifying the type of democracy created by the digital space particularly in India at this point of time is a matter of curiosity.

In addition to that, considering the recent developments in the Democratic theory and ongoing debate over the matter of preference to justice or democracy, Philippe Van Parijs defines 'Just Democracy' as Rawls and Machiavelli programme. According to Parijs, Just Democracy is an intermixing of Rawls' notion of Social Justice and Machiavelli's part of building institutions which will ensure social justice¹⁰. In this research the researchers felt that India has history of rights in its scriptures, the institutions framed by the constitution are at place and now the digital infrastructure also made its mark at wider scale, then the question arises that whether the ICT enabled governance is capable enough to ensure the social justice which can be categorized in the purview of Just Democracy.

Research Objectives:

The direction of the research is set by working upon the follow designed objectives through which the scope of the study can be analysed.

1. To study the concept of Digital Human Rights
2. To study the use of ICT in governance and its impact on human rights
3. To analyse challenges which occurs in ensuring digital human rights
4. To study the interrelation between Digital Human Rights, e-Governance and Just Democracy.

⁸ E-governance. (n.d.). Retrieved November 10, 2023, from <https://pib.gov.in/Pressreleaseshare.aspx?PRID=1847837>

⁹ Spirakis, Grigorios & Spiraki, Christina & Nikolopoulos, Konstantinos. (2010). The impact of electronic government on democracy: E-democracy through e-participation. EG. 7. 75-88. 10.1504/EG.2010.029892.

¹⁰ Thompson, S. Just democracy: The Rawls-Machiavelli programme, by Philippe Van Parijs. Contemp Polit Theory 12, e19–e21 (2013). <https://doi.org/10.1057/cpt.2011.41> Referred on 09/10/2023

Approach and Methodology

To gather satisfactory and conclusive information regarding objectives of the research the study relied upon Secondary sources. Researchers have taken recourse to literary sources available on Human Rights, Digital Human Rights, literature of electronic governance and just democracy. To understand the philosophy of human rights Axiological Approach has been incorporated, an analytical approach has been used to observe the nature, objectives and functions of the government institutions. Testing of hypothesis has been performed through empirical and scientific prediction methodology.

Journey of Human Rights to Digital Space

In Indian context the human rights are inculcated through the ancient institutions which advocated moral values in the society. The concept of Dharma followed by the king and public also discussed about rights and duties (Baboo, 2016). The ancient educational institutions like ashramas and gurukul also played an important role in reducing the incidents of violation of rights by putting moral obligations¹¹.

In the post-independence era, Part III of the Constitution of India talks about the Fundamental Rights. Rights under this category have natural status as well as have obligation over the government to safeguard them for every individual in the country. Along with that other sections of the constitution also contains various rights which have legal or moral obligations over the government machinery as well as the society. India has ratified Universal Declaration of Human Rights and incorporated them in the legal-constitutional scriptures¹².

The introduction of digital technology is changing the nature of human rights to be ensured in the society. There has been a direct and indirect effect of technology on human life in his/her public as well as private space. The way technology is benefitting to humans, at the same time it possesses new threats. As the technology is impacting human life at such a wide scale, it has changed the dimensions of human rights from its earlier form (Razmetaeva et al., 2022). The digital actions of individuals are not remained alien from physical actions. Therefore, there is a need to focus on human rights on digital space¹³.

Eileen Donahoe in the article 'Human Rights in the Digital Age' emphasise over the need of ensuring Human Rights in the digital space. According to Donahoe, Digitalisation changed the ways of human rights to be ensured and violated in the society and there is a need to form Special Rapporteur Mandate on the 'Right to Privacy' at the UNHRC in 2014. Furthermore, there is a need to contribute in developing Internet as a multistakeholder model as the internet has shifted the distribution of power from governments to other non-governmental institutions. Donhoe established that the national security and human rights are in 'zero sum game' in which the digital security is at the heart of national security and violation of human rights can have implications on human rights¹⁴.

Perepolkin et al., 2021, in 'Typology of The Fourth Generation of Human Rights' discussed about the rights beyond Karel Vesak's categorisation of Three Generation of rights. The new generation of rights which are denoted as Fourth Generation of Rights have emerged due to advancement of technology in

¹¹ Baboo. (2016, December). Human Rights and Ancient India. IJRAR- International Journal of Research and Analytical Reviews, 3(4), 49–52. http://ijrar.com/upload_issue/ijrar_issue_333.pdf Referred on 28/10/2023

¹² Karpagavalli, P. (2019). Indian constitution and human rights: an overview. Retrieved on 28/10/2023

¹³ Razmetaeva Yu, Barabash Yu, Lukianov D 'The Concept of Human Rights in the Digital Era: Changes and Consequences for Judicial Practice'

2022 3 (15) Access to Justice in Eastern Europe 41–56. DOI: 10.33327/AJEE-18-5.3-a000327 Referred on 08/11/2023

¹⁴ Donahoe, A. E. (2015, May 8). Human Rights in the Digital Age - Just Security. Just Security. <https://www.justsecurity.org/18651/human-rights-digital-age/> Referred on 22/10/2023

the society. The new set of human rights include reproductive rights, rights of self sex determination and orientation, right to die and digital rights. Though the author presented the developing nature of the category of Fourth Generation of rights but still they reiterated the inclusion of digital rights in this category¹⁵.

UN Secretary General's 'Roadmap for Digital Cooperation' in Seventy Fourth session of the UN General Assembly, discussed about 8-core areas for action. It included achieving universal connectivity, digital inclusion of all, capacity building for the digital space, promoting trust and security in digital space and ensuring the protection of human rights over the digital space, etc. To ensure protection of human rights in digital space the roadmap discusses 11-way forward points. In its recommendations for human rights and human agency, recommendations 3A and 3B puts human rights at the core of legislation and policy formulation in the digital space. Along with the active role of UNHRC, it emphasises over the responsible role of the regulatory institutions and civil society to ensure human rights as priority in their digital administration¹⁶.

Electronic Governance and Human Rights

Under the 'Digital India Mission' which was launched by the government of India in July, 2015, the government made various achievements. Three core components of the mission included building digital infrastructure, provide on demand service delivery and empower citizen for the use of digital space. Under this initiative it has been aimed to eradicate corruption, red tapism, ensure transparency in the administration and bridging the gap between the government and the citizen. The Ministry of Electronics and Information Technology under the Digital India mission promoted various initiatives to serve the common citizen. In the last 8 years of its inception, it has increased its reach across the country by enrolling around 135.5 crores of Aadhaar, establishment of 5.21 lakh CSCs which are providing around 400 digital services, registered 110 crore person and facilitated 220 crores of vaccination through the CO-WIN platform, under rural literacy through the PMGDISHA it enrolled around 5.69 crore and certified 4.22 candidates, and many more. As far as the cyber security is concerned the Information and Technology (IT) Act 2000, has been kept up to date in order to cater the need of present dynamic situation of the digital world¹⁷. From this it is evident that the government has placed the digital infrastructure and ensured the rights under the constitution of India.

Emad Abu-Shanab et al. (2013) in 'E-government readiness association with human rights index' concluded the significant association between Human Rights Index (HRI) and e-Governance Readiness Index (EGRI). This implies that the government which progresses on e-Governance readiness can be more likely to ensure human rights security and vice versa¹⁸.

In 'The impact of electronic government on democracy: e-democracy through e-participation', Spirakis et al. (2010) discussed about the participatory aspect of democracy through the digital platform. According to author, E-Democracy through e-Governance can be achieved by the enhanced e-

¹⁵ Perepolkin S., Perepolkin D., Averianova M. (2021). Typology of the fourth generation of human rights JILC (Journal of International Legal Communication) 1(1), 91-101. <https://doi.org/10.32612/uw.27201643.2021.1.pp.91-101> Referred on 12/11/2023

¹⁶ Secretary-General's Roadmap for Digital Cooperation. (n.d.). <https://www.un.org/en/content/digital-cooperation-roadmap/> Referred on 12/10/2023

¹⁷ Achievements Made under Digital India Programme. (n.d.) <https://pib.gov.in/PressReleaseIframePage.aspx?PRID=1885962> Referred on 22/10/2023

¹⁸ Abu-Shanab, Emad & Harb, Yousra. (2013). E-Government Readiness Association with Human Rights Index. Electronic Government an International Journal. 10. 56-67. 10.1504/EG.2013.051275.

participation of the citizen in public affairs. Once it become more participatory, it has a potential to enhance accountability and transparency in the government as well as in politicians and it can proactively keep watch over the behaviour of leaders and government activities.

Thus, the above information provides the scope for the present enquiry of digital human rights in the purview of electronic governance. Thus, the emerging rights includes Right to equal access of internet, Right to privacy, Right to be forgotten from the digital space, right to partially erase data from the internet, equality of opportunity on the digital space, right to access internet in local and understandable language, right to security from data theft and non-consented modification, etc, and according to the changing time and context of technology it will keep on increasing.

Democracy as a Just Democracy

In the book titled 'Just Democracy: The Rawls-Machiavelli Programme', Van Parijs (2011) mentioned that "We don't just need democracy. We need just democracy"¹⁹. By the term Just Democracy he implies that among various types of democracies available at that time, the society should choose the form of democracy through which make the society and the world more just. He intertwined Rawls views on social justice with the Machiavelli's views on political institutions²⁰. Hence it is called as Rawls-Machiavelli Programme. He prefers just society over the democratic setup, as he mentions that in the conflict of justice and democracy, he would give priority to the justice. Parijs in his book put forth reforms for the Belgian Political system of his time through the series of articles compiled in his book. Thompson (2013) reviewed the book of Parijs and made observations that one may get the inference that Machiavelli's analysis of political institutions provides means to achieve the ends set by Rawls about social justice²¹.

In USA the coalition of racial and social justice groups formed under the title of 'Just Democracy'. The objectives of the group mentions that the American democracy for 200 years has remained ignorant about the justice for Blacks and Browns and it aims to ensure equality in healthcare, political representation, education, etc²².

Spanish political group 'X Party' in its agenda includes just democracy with 4 basic components viz transparency in public affairs, Government controlled by the government with citizen must have legislative powers of referendum and permanent voting rights to the people of the country²³.

From the above discussion it is evident that the just democracy has a blend of the principles of justice and characteristics of democracy. It has some basic traits like equality of opportunity and participation, freedom of expression, social justice ensuring fair distribution of primary resources among various sections of the society, democratic institutions base on the objective of impartiality and accountability, etc. The process to make the democracy a just democracy goes through ensuring justice in its inclusive sense.

¹⁹ Just Democracy. The Rawls-Machiavelli Programme, by Philippe Van Parijs. (n.d.). UCLouvain. <https://uclouvain.be/fr/facultes/espo/h Hoover/actualites/just-democracy-the-rawls-machiavelli-programme-by-philippe-van-parijs.html> Referred on 02/11/2023

²⁰ Ibid

²¹ Thompson, S. Just democracy: The Rawls-Machiavelli programme, by Philippe Van Parijs. Contemp Polit Theory 12, e19–e21 (2013). <https://doi.org/10.1057/cpt.2011.41> Referred on 22/10/2023

²² Home | Just Democracy. (2021, April 29). Just Democracy. <https://justdemocracy.us/> Referred on 28/10/2023

²³ Just Democracy. (n.d.). <https://partidox.org/just-democracy/> Referred on 12/11/2023

Challenges in Ensuring Digital Human Rights

Advent of new technology from the introduction of computer to at present regenerative AI, it has changed the perspectives of human rights. The technology has changed the nature, scope and effectiveness of human rights which were present offline. Challenges to the human rights in digital space occurs in three categories i.e., whether it got violated due to advancement in technology, secondly it may have conflicting nature with the use of new technology and lastly it may create a situation where absence of rights against particular technology which have 'No man's land' nature²⁴.

Since the digital rights are evolving in nature it poses new opportunities as well as challenges for the Indian society. The Indian e-Governance machinery has very wide area to serve and given that the diverse nature of the country it poses various social, political, structural and topographical challenges in its operation. One of such challenge in ensuring equality of access to digital services is 'Digital divide'. According to Internet in India (2022) report, the rural-urban divide shows that the internet penetration in urban areas is almost around 71% as compared to rural areas which have 41%. From gender perspective the male domination over female numbers is evident in both rural and urban areas. Male consists of round 60% of total e-Commerce users, online learners, digital payers, OTT content consumers²⁵. As an example, almost 50% of women in Gujarat doesn't own cell phone, in addition to that majorly tribal dominated areas don't have cell phone connectivity in the state.²⁶ Apart from that in the report, the Third gender is excluded or adjusted in two of the criteria of male and female. Furthermore, through this report it is also evident that the regional divide is also a prominent factor. The internet penetration in top 3 states (Goa, Maharashtra and Kerala) are more than 65% as compared to the bottom 3 (Bihar, Uttar Pradesh, Jharkhand) where the internet penetration is below 40%²⁷.

Apart from the digital divide there is an issue of 'Internet Deserts', those are the areas which doesn't have internet connectivity or lack of digital infrastructure. Internet Deserts are primarily evident in rural and tribal hinterlands and low-income areas of the country. The internet deserts occur due to costlier digital infrastructure, lack of competition among Internet Service Providers and incidences of weak signal due to sparse population in some topography²⁸. In India around 38901 villages do not have cell phone connectivity²⁹. The Internet Deserts are creating hindrances in bringing people from the remote places online and reap the benefit of the digital space. The government of India through the Bharatnet Project aimed to connect almost all 2.5 lakh villages of the through the internet connectivity³⁰, but its operation and sustainability is still remains questionable as there are around 1 lakh WiFi hotspots has

²⁴ Custers, B. (2022, April 1). New digital rights: Imagining additional fundamental rights for the digital era. Computer Law & Security Review. <https://doi.org/10.1016/j.clsr.2021.105636> Referred on 09/11/2023

²⁵ Internet in India 2022 | IAMAI. (n.d.). <https://www.iamai.in/research/internet-india-2022> Referred on 13/11/2023

²⁶ Kshatriya, D. S. (2023, February 15). 51% Gujarat women don't have cellphone, 567 villages lack mobile connectivity. . . The New Indian Express. <https://www.newindianexpress.com/nation/2023/feb/15/51-gujarat-women-dont-have-cellphone-567-villages-lack-mobile-connectivity-2547661.html> Referred on 12/11/2023

²⁷ Internet in India 2022 | IAMAI. (n.d.). <https://www.iamai.in/research/internet-india-2022> Referred on 10/11/2023

²⁸ Torry, M. (2023, April 9). Overcoming Broadband Deserts - Marcus Torry - Medium. Medium. <https://accessinnovate.medium.com/overcoming-broadband-deserts-comprehensive-solutions-for-underserved-are-as899635ab543d#:~:text=Broadband%20deserts%20are%20areas%20where,%2C%20and%20low%2Dincome%20communities.> Referred on 12/11/2023

²⁹ Kumar, D., Kumar, D., & M. (2023, February 8). Millennium Post. <https://www.millenniumpost.in/nation/mobile-connectivity-still-a-distant-dream-for-38901-villages-in-india-508093> Referred on 12/11/2023

³⁰ Department of Telecommunications Ministry of Communications, Government of India. (n.d.). Bharatnet Project. <https://vikaspedia.in/e-governance/digital-india/bharat-net>. Retrieved November 10, 2023, from <https://usof.gov.in/en/bharatnet-project> Referred on 12/11/2023

been installed for last mile connectivity, but still the states like Odisha, Andhra Pradesh, North Eastern states, etc have more than 2000 unconnected villages to the mobile internet.

Another challenge in ensuring digital rights is Internet Shutdown. Internet Shutdown refers to the intentional curtailing the internet-based communication for specific area, community or limiting access or reducing speed of data upload and download over the internet for certain period of time. Between 1st of January to 30th June, India ranked second among the list of countries performed internet shutdowns. Among the 42 incidents of internet shutdowns around the world, 9 of them occurred in India³¹. Those incidences create situation of inequality of access to the digital space and hampers right to e-participation.

In addition to the above challenges the Right to privacy, Data secrecy and security are important challenges to be deal with while ensuring digital rights. “Future Wars will revolve around data not oil” Marshal (2022). The importance of data collection, processing and protection at present age has increased very massively. Major social media websites and other digital platforms are collecting and processing the widescale data of their users³². This puts the user on to their mercy as they can keep track of user’s personal or public activities, close connections, likes and dislikes in total they can track every activity of their users. The incidences of data leaks, theft and misuse puts the users of digital space in grave danger as it puts their personal, social, political, financial life at risk. Though the UN’s Secretary-General’s Roadmap for Digital Cooperation emphasised over the ‘Promotion of trust and security in digital space’³³ there are increasing incidences of data theft among the countries having adversities. This creates an environment of danger among the users of digital space as well as it abstains people from fairly using the internet.

In addition to above challenges the modern form of Red-tapism is also creating apathy among the users of the internet for availing government services. As the e-governance is designed to eliminate use of excessive paperwork and efficient use of business process reengineering, the government of India through the Digi Locker facility gathers 11.7 crore users and puts more than 530 crore documents online.³⁴ But beyond that the government departments are yet to adapt the paperless pattern. It creates unnecessary delay due to emphasis over the paper verification of digital application by the clerical administration. It reflects the distrust over the digital method of administration by the administration itself which leads to creation of an environment of confusion and tediousness nature of the e-administration among its users.

Co-relation between Digital Human Rights, e-Governance and Just Democracy

As it is evident that the societies ensure protection of Human Rights are more intended to accept e-Governance, and to ensure just democracy it is necessary to ensure maximum participation of common citizen in the decision-making process as well as ensuring equal opportunities to ensure individual

³¹ Pradeep, B. N. S. (2023, July 31). India is second in the world in internet shutdowns in H1CY23. BusinessLine. <https://www.thehindubusinessline.com/data-stories/data-focus/india-is-second-in-the-world-in-internet-shutdowns-in-h1cy23/article67131027.ece> Referred on 10/11/2023

³² R. M., & R. M. (2022, May 14). Future wars will revolve around data, not oil. Deccan Herald. <https://www.deccanherald.com/opinion/future-wars-will-revolve-around-data-not-oil-1109323.html> Referred on 10/11/2023

³³ Secretary-General’s Roadmap for Digital Cooperation. (n.d.). <https://www.un.org/en/content/digital-cooperation-roadmap/> Referred on 11/11/2023

³⁴ E-governance. (n.d.). <https://pib.gov.in/Pressreleaseshare.aspx?PRID=1847837#:~:text=Presently%204%2C671%20e%2Dservices%20have,DigiLocker%20from%202%2C167%20issuer%20organisations.> Referred on 11/11/2023

development. It is an intrinsic objective of the e-Governance machinery that to enhance participation of common masses in the process of governance. The e-participation can lead to e-democracy and inculcating the principles of human rights will ensure a just democracy.

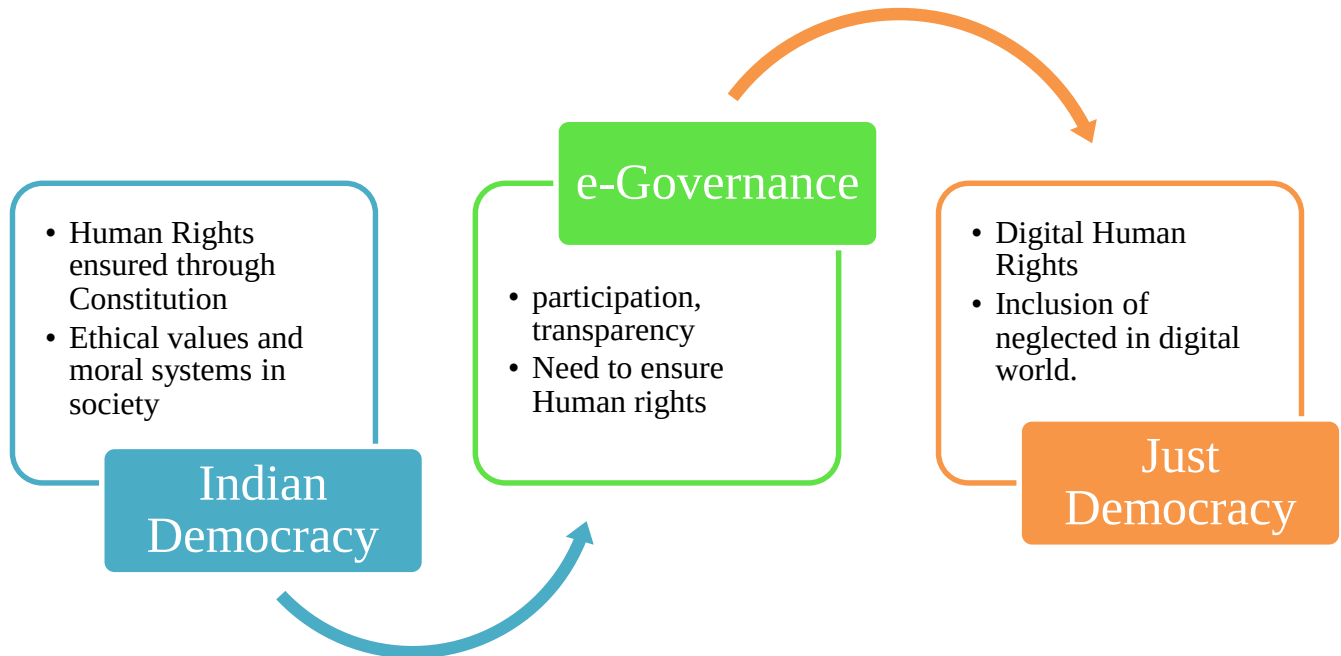


Figure 1: Brief Correlation between Indian Democracy, e-Governance and Just Democracy

Outcomes of the enquiry

It has been understood that the nature, scope and reach of human rights are changing according to the change in technology. Indian society intrinsically includes the values of human rights and the government through various legislations such as the IT Act of 2000, Information Technology Laws of 2011 and recently passed 'The Digital Personal Data Protection Act of 2023', etc has tried to incorporate dynamic perspective of digital human rights. The Digital Personal Data Protection Act of 2023 emphasises over the use consent to process his/her data. It aims to form data protection board which will be consist of digital professionals. It further emphasises over the storage and processing of user data in the country itself. India in ensuring digital human rights has come a long way but a long has to go more to ensure just democracy. The challenges of internet deserts, digital divide, lack of digital infrastructure at remote areas and challenges in holistic inclusion of neglected sections, modern form of red tapism has to be deal with dedicated intent, sophisticated expertise and keeping the goals of digital human rights in mind to ensure the India as a Just Democracy based on Smart Gram Swaraj.

Limitations of the study and future prospects of the research

Thus, the present study has tried to establish the symbiotic relation between digital human rights, e-governance and just democracy. The study is based on the secondary sources which were available online. Due to lack of previous dedicated study regarding the scope of digital human rights in Indian context and its impact on e-governance machinery in India, it poses a challenge to grasp complete scenario. The dynamic nature of the digital human rights and their vastness can't be grasp in totality by the small-scale research.

For further research in this area the help of primary research can be undertaken to enquire the violence of digital rights and victims of it should be interviewed. There is a need to create more literary sources regarding the digital rights and democracy in India. The region specific, gender and profession specific study can be conducted to enquire the understanding among the stakeholders regarding the digital rights available to them.

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