Outsourcing and Data Security

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One of the biggest concerns of an entity outsourcing work to India is data security. Not just billions of dollars, but security breaches can also cost sensitive data and the trust of the client. India may not have dedicated legislation towards data security, but that does not preclude an otherwise effective jurisprudence. Judicial activism has led to the inclusion of privacy among the fundamental rights and unlawful invasion of privacy can make offenders liable to consequences. The field being as it is, companies, primarily business process outsources are using contract law to secure data that is circulated within the organisation. Agreements such as non-circumvention, non-disclosure and user licence are entered into and strict processes are adopted to restrict and manage data that is made available to employees. *Authored by Shantanu Sahay. This article was published in Legal Era.*

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