

Indian Data & AI Policy

→ GDPR: General Data Protection Regulations.

What about India?

When does collating of data become a thing in India?

→ People have been collecting data since 'tax records',
→ Telegraph Records during British times.

→ Telegraph ~~tax~~ Act is still the law which governs data till today for all machine-machine communication.
→ An amendment was attempted to say if there is a machine to machine communication, govt needs to know via identity.

→ Discord / Zoom would need license.
→ Sometimes govt needs to know what the information is.

→ Privacy / Rights are important

→ MP Sharma

vs Satish Chandra.

Police had to go through embezzlement documents. The criminal said it's my private belief case, you can't open it.
Police opened it as criminal ~~case~~ put made a case.

Question: Should a convicted criminal have that right to privacy?

DEBATE: Police say suspects you're a terrorist & asks you to give password, are you obliged to give the password?

→ Khadek Singh (1964): habitual criminal.

Police kept bothering him (eg. I am) at anytime at his house.

He went to court asking the police are disturbing him without reason to suspect him.

Supreme Court 80% agreed.

After ~~Go~~ Khadak Singh

- Women can't be arrested without woman constables.
- But Police can't approach people's house at night
- Same changes by Supreme Court.
- But it told Khadak Singh you still don't have right to Privacy.

→ ADM Jabalpur v Shivkant Shukla (1976)
→ during emergency.

→ Jabalpur

→ Supreme court said LOL arrest him.

→ Navtej Singh Johar vs Union of India
Article 377 : "Unnatural" Sexual acts were considered ~~illogical~~ illegal.
Navtej Singh Johar questioned it.

Supreme Court removed it from Indian Penal Code. They basically accepted that Right to Privacy = Right to Dignity / Life.

→ Kutteswamy vs Union of India 2017

→ opposed Aadhar Card coz collecting all information is ^{violating} Right to Privacy. If opposed what they ruled in Navtej Singh Johar's case Supreme Court accepted that Right to Privacy is an inbuilt right in Indian Constitution though not explicitly mentioned.