

11 October 2024

- Right to privacy is a fundamental right since 2018.
- IT act 2000 – law made purely from IT sector anxiety regarding data usage
- Offensive information cannot be sent through computers – article 66A was called unconstitutional and removed
- Rule is implementation / interpretation of laws
- Privacy discussed in Indian parliament – 2012 A.P Shah committee report
- Bill is first draft of a law, goes from lower house to upper house of parliament then to president then it becomes an act.
- Money bills don't require debates in parliament
- Crossing the floor – voting against one's party proposed bill
- Private member bill - can rarely become a law, using parliament as a platform to propose ideas to public

July 2017 Indian govt appointed a committee on Data protection framework, public consultation happened in 2018, Personal data protection bill 2019 was introduced in dec 2019

Initial draft was inspired by European law, it was in favor of people but not of police and IT companies, so eventually withdrawn from parliament in 2022

MEITY introduced Digital Personal Data Protection Act 2023, India's current and only law on privacy

Criticisms:

- Procedural – comments in public consultation weren't made available for all
- Public data doesn't fall into it
- Members of data protection board will be selected by govt
- Private entities were exempted

Aadhar act 2009 – after Kargil war, Rangarajan commission was set up, National identity card(2002), UIDAI (2009), 2012 – aadhar

Aadhar card is optional, law says aadhar is voluntary (but compulsory since everything is linked to aadhar)

Prevents doctors from selling patients medical data – Clinical Establishment act

India doesn't have any law on AI yet but has a policy

- AI task force 2017 by ministry of commerce and industry
- NITI Aayog teamed with google in 2018 to develop ai based solutions in business models
- Responsible ai paper in 2022 by niti aayog
- Various state governments are making policies on AI especially Telangana
- AI in judiciary – E courts project (SUPACE and SUVAS – translation and summarization AI's currently used by courts)