

08/10/24

Date : _____

PS643: Indian Data & AI Policy

- British Raj → The Telegraph Act : Law meant to regulate telecommunication device telegraph.
- India still uses this law for current telecom rules
- Amendment Act was not passed, because of issues (mostly privacy issues)

History of Indian Judicial Thought on Privacy.

- MP Sharma vs Satish Chandra 1954 : Can the police force the criminal to case his prosecution?
In India, they can take ur belongings. Should you give the password of your cellphone? Legally speaking → No
Same with laptops.
- This was the case where privacy entered in Indian Case.
- Kharak Singh vs State of UP : History Shetu, was being disturbed by police. Can't go to home at night. Still no right to privacy.
- ADM Jabalpur vs Shivkant Shukla (1976) : Right to not be unlawfully detained not present in interest of the state.

★ Navdet Singh Johar vs Union of India

Article 377: Unnatural sexual act prohibition.

Navdet Singh : Why is gay illegal?

Indian Constitution says right to life. Is life anything without dignity? Violation of someone's personal preference should not be violated.

→ Article 377 removed from IPC.

Puttaswamy vs Union of India 2017

Challenged proposed Aadhar Scheme.

Dignity not possible without privacy.

Supreme Court finally asserted the right to privacy in India.