Notes PS643-2024

# Fri, 11th Oct 2024

Rights are broad ideas occupied by Constitutional level

Concrete laws is a necessity

Telegraph act in early 90s to IT Act in 2000, there were no acts/laws in between to govern data or AI

Laws generally have a logic behind them

IT Act of 2000 was a result of MNCs lobbying the government

Type of Indian policy was

Dirigisme - Government's controlled capitalism

Which changed to

Market capitalism - Allowing foreign companies to trade in India

Problem - Foreign companies exploiting Indian companies

Laws to safeguard Indian companies - IT Act

Amended in 2008 due to poor senseless laws

**A new idea comes through a law**

**Rules are made to interpret that law**

Laws have debates in the parliament

**Bill is a first draft of a law**

**Lok sabha debates the bill**

**Suggestions to alter**

**Voting on the bill**

**If passes**

**Rajya sabha**

**President**

**Back and forth for correction**

**Cannot directly reject**

**If passed, then it becomes an act**

Generally, bills introduced by a political party

Needs a majority to pass

Cannot vote against your party

Violates the mandate of the people

They vote for party manifesto

Hence, generally only party in power get their bills passed

Amendment is when the constitution gets changed

Needs 2/3rd majority

Individual bill is called private member bill

Since no party has the obligation to support

Rarely successful

Main reason - Using the parliament as a platform to consider the idea as a real bill

The committee on experts of data protection framework

Draft for Personal Data protection Bill in 2019

Suggested tor read by Professor Guha

After 3 years of talking on the bill, they rejected it

Went through multiple edits

Final draft from 3 years was extremely different,

And the drafters refused to take accountability for the changed bill in front of the media

MITI came forward with a new draft -

Digital Personal Data Protection Act 2023

GDPR - Your personal data cannot be taken unless some reasons

DPDPA - Your data can be taken for these few reasons

Criticisms from provided PPT

Bill protects privacy

Privacy is of the employee as well as the organization

Employer can collect data to measure performance of the employee, which obstructs privacy

Jus Soli - Law of the soil

Indian law till 2004

Indian if born on indian soil

Jus Sanguinis - Proof of the blood

Indian law of Citizenship 2004

Indian if any 1 parent is Indian

Kargil war 1999 - embarrassment for the government

Army infiltration inside India

National Identity Card to UIDAI Unique Identification

To prevent leakage

Puttaswamy objected privacy should be fundamental

Supreme court passed right o privacy but also Aadhar

Technically Aadhar is completely Voluntary

Due to indian system, Voluntary but Compulsory

Life becomes hard

TRAI Regulations - To safeguard from Telecom promotional calls

Aside from. Europe, most countries have including India does not have a low on AI yet

India does have a Policy

2017

Ministry of Commerce - Mrs. Nirmala

Made AI taskforce - Committee to write document detailing ministry's vision regarding AI

Taskforce report - first document regarding vision about AI in India

Goes through multiple sectors, leading to development and critical funding

Criticism-

Finances were optimistic and without proof

Impact of AI on humanity was not considered

2018

Niti Aayog teamed up with Google

Released paper - AI for all

Detailed report on how AI should be used in India

Problems-

Gave India as the garage model of AI

2022 - Responsible AI framework

India has 28 Police dept. with Facial recognition

Case study of digi yatra

Various State governments, Telangana

Supreme Courts, digitisation of court documents/departments

Read the original, when reading someone else criticizing something

E-Sansad shows every speech given in parliament