

Mock FIR – Based on Constitution of India and IT Act, 2000

Police Station: Cyber Crime Division, Metro City

FIR No.: 2025/CC/0123

Date: 04/11/2025

Complainant:

Name: Priya Nair

Occupation: Software Engineer

Address: 7 Green Valley Apartments, Metro City

Alleged Offence:

Unauthorized publication of personal data and blocking of a social media post by an online platform.

Facts:

- 1) The complainant states that her educational certificates and photographs were published without consent on a public website.
- 2) When she posted criticism of the incident on her verified account, the platform removed the post citing 'public order' concerns.
- 3) The complainant believes her fundamental rights under Article 19(1)(a) (freedom of speech) and Article 21 (right to privacy) have been violated.

Relevant Legal Provisions Invoked:

- Article 19(1)(a): Guarantees freedom of speech and expression.
- Article 19(2): Allows reasonable restrictions in the interest of public order, morality, or security of the State.
- Article 21: Right to life and personal liberty, including informational privacy.
- Section 43A, IT Act, 2000: Compensation for failure to protect data.
- Section 66, IT Act, 2000: Computer-related offences.
- Section 69A, IT Act, 2000: Power of government to block access to information on public order or security grounds.

Procedural Observations:

- 1) The blocking order was verbal, no written or reasoned order was provided as required under IT (Procedure and Safeguards) Rules, 2009.
- 2) No notice was given to the complainant before removing the content.
- 3) The data controller did not provide breach notification despite data compromise.

Possible Constitutional and Statutory Violations:

- a) Violation of Article 19(1)(a) — restriction not backed by law or procedure.
- b) Breach of Article 21 — unauthorized disclosure of personal data.
- c) Non-compliance with Section 69A procedural safeguards.
- d) Liability under Section 43A for negligence in data protection.

Requested Action:

- Register and investigate offences under IT Act and verify compliance of blocking order with constitutional limits.
- Determine accountability of intermediary for privacy breach and arbitrary censorship.

Prepared by: Officer-in-Charge, Cyber Crime Division

Name: Insp. D. Mehta

Signature: _____

Date: 04/11/2025

Note for LegalLens Testing:

- Red flags include lack of written blocking order, improper invocation of Article 19(2), failure to apply proportionality test, and omission of procedural safeguards under IT Act s.69A.
- Use this to test reasoning on intersection of fundamental rights and statutory authority.