



AMITY
UNIVERSITY
—LUCKNOW CAMPUS—

NATIONAL SEMINAR

ON

**RIGHT TO PRIVACY AND DATA
PROTECTION IN DIGITAL ERA -
ISSUES & CHALLENGES**

(Hybrid Mode)



“ Right to privacy of any individual is a natural which inheres in every human being by birth. Such right stays with the human being till he/she breathes last. It is indeed inseparable and inalienable from human being. In other words, it is born with the human being and extinguished with human being. ”

-Justice Abhay Manohar Sapre

CONCEPT NOTE

The Arthashastra prohibits entry into another's house, without the owner's consent. In Christianity we find the inspiration to live without interfering in the affairs of others. Religious and social customs affirming privacy also find acceptance in our Indian laws, for instance, in the Civil Procedure Code there is exemption given to a pardanashin lady regarding her appearance in Court.

The right to privacy is not only been documented in Indian scriptures and texts but also been acknowledged in international treaties. It is stipulated in the Universal Declaration of Human Rights, the International Covenants on Civil and Political Rights, and the Convention on the Rights of the Child. In India, this prerogative has been recognized as an intrinsic element of the right to life and liberty, along with the right to freedom of speech and expression.

Every person is eligible for a 'personal domain' free from unjustified interference or surveillance by the State or non-state actors. Notwithstanding the pervasive recognition of the obligation to protect privacy, the specific content of this right is yet not fully developed by international human rights protection mechanisms. Living in a modern civilization and a global network so huge in magnitude, we are being profiled in our day-to-day life. We live in the digital era, where we embrace the need to provide intimate details concerning ourselves to appropriate authorities, expecting that they will maintain this information private and only use it in the most egregious circumstances with legal justifications. On the contrary, there is no concrete and comprehensive legislation to mitigate the issue arising out of internet privacy and data protection. Privacy is not always absolute and

comes with certain constraints. Multiple laws have been enacted by the concerned State authorities to preserve the privacy of their data subjects, however these safeguards are not absolute and are limited in certain areas by the government. However, as more data is digitised and information is transmitted online, the right to privacy and data protection is becoming more crucial. People have a lot at forefront when it comes to the confidentiality of their information, therefore data must be governed based on its perceived importance. As a result, there is a need for protection of such information that users are unwilling to provide and, if shared, must be safeguarded. It necessitates adequate state and legislative intervention to ensure that people's privacy is protected and to establish the amount to which it must be invaded. Hence, this seminar provides a premier interdisciplinary platform for researchers, practitioners, and educators to present and discuss the most recent innovations, trends, and concerns as well as practical challenges encountered, and solutions adopted in the field of right to privacy.



Further the Constitution of India has its emergence from international treaties especially the Universal Declaration of Human Rights (1948). As the UDHR provides two generations of human rights (civil & political, economic, social & cultural rights) similarly our Indian Constitution provides plethora of rights. These rights are enshrined under part III of the Constitution known as fundamental rights. In this chapter of the Constitution Article 21 is considered as the 'heart of fundamental rights'. Article 21 deals with right to life and liberty. A life which is full of dignity and is not merely an animal existence. Moreover in the concept of liberty certain kind of privacy is also hidden. The argument regarding the privacy of the citizen started from the case of Karak Singh vs. State of Uttar Pradesh (AIR 1963). The case was related to surveillance by state. Later on there were several cases where there was a contention right to privacy should be recognised as a fundamental right under the purview of right to life and personal liberty. Finally, in the landmark judgement of Justice K.S. Puttaswamy (Retd.) vs. Union of India, the right to privacy was recognised as a fundamental right essentially originating from Article 21 of the Indian Constitution. This case is famously known as Aadhar Card case. The apex court held that right to privacy is a part of fundamental right which can be traced in Articles 14,19 and 21. The court held that to make this right impactful, the state must establish a data security system that fosters the common good while protecting the citizens from potential attacks to privacy and confidentiality posed by both state and non-state entities. Hence, establishing the fact that a person's privacy is a crucial aspect of their life and liberty, and therefore, it must be respected and preserved. Furthermore, the court laid down the menu for testing the privacy issues in India and held there should be certain standards of scrutiny in the matters of privacy of the citizen.

Even after the judgment in the case of Justice K.S. Puttaswamy (Retd.) vs. Union of India (2017) there is no strict legislation or policy which can effectively resolve the issues related to the right to privacy. There is only Information Technology Act of 2000 which is regulating the cyberspace. Time to time government issue rules and guidelines for effective regulation of privacy in cyberspace but sometimes proper implementation of these laws are not upto the mark. This national seminar will highlight the key issues related to privacy of the individual in the national and international scenario. Thus, the seminar will not only discuss the key areas related to the privacy in the cyberspace but also provide effective resolution for combating the issue of privacy globally.

WHO CAN PARTICIPATE?

- Academicians, Professionals, Research Scholars, Students

THEMES

Session: 1 - Tracing Right to Privacy: Emergence & Evolution

- Concept of Right to privacy
- Indic Jurisprudence of Privacy
- Constitutional Perspective of Right to Privacy
- Judicial Interpretation of Right to Privacy and Data Protection in India
- Comparative Analysis and International Trends in Data Protection

Session: 2 - Liability of Data Protection: State & Non-State Actors

- Liability of Intermediary
- State Surveillance as a threat to Right to Privacy in Cyberspace
- Non-State actors in violation of the Right to Privacy
- International Efforts to Protect Privacy

Session : 3 – Emerging Cybercrimes: Socio - Economic perspective

- Cyber frauds and its impact on the Indian Economy
- Revenge Pornography
- Online Grooming
- Cyberspace and Interpersonal Relationships

Session: 4- Recent Trends and Challenges

- Ransomware
- Data Mining
- Phishing & Other Social Engineering attacks

GUIDELINES FOR PAPER SUBMISSION

The title of the paper should be followed by:

- Name
- Designation
- Name of the Organization
- E-mail address

Note: It is mandatory to mention the E-mail address, as all future correspondence will be through it. Name and contact information of co-authors, if any.

PROCEDURE FOR SUBMISSION OF ABSTRACTS:

- The abstract should not exceed 250 words, including 5 relevant keywords.
- The following information, in the given format, should be sent along with the abstract: name of the participant, official designation/institution details, address and E-mail id, title of abstract, should be sent along with the abstract in the given format.
- Submit your abstract to nationalseminaramitylko@gmail.com

Note: Last date of abstract submission – 31st January 2023

FULL PAPER:

- Abstract & full paper will submit as a soft copy only in MS Word format (typed in Times New Roman, 14-point Heading and 12-point normal text with 1.5 spacing & 10 points with 1.0 spacing for footnotes).
- Citation format: Please use footnotes rather than endnotes. Footnotes should conform to The Indian Law Institute, New Delhi Style.
- Submission of the abstract: A cover letter with the name(s) of the author(s) and address, designation, institution/affiliation, the title of the manuscript and contact information (E-mail, phone, etc.) is compulsory to submit.
- The title of the paper will be followed by name, designation, name of the organization / university / institution and E-mail address. It is mandatory to mention the E-mail address, as all future correspondence will be through it; name and details of the co-author, if any.
- If the paper is selected for publication in an ISBN-numbered book or conference proceedings, a statement by the author declaring that all submissions are original and faithful work of the author must be submitted.
- The length of the paper should not exceed more than 5,000 words.

CERTIFICATE FOR PARTICIPANTS:

- Certificate of participation will be issued to all the participants as well as those who have given their abstracts with the required fee.

REGISTRATION FEE:

- Professionals/ Faculty- Rs. 1500
- Research Scholars- Rs.1200
- Students outside Amity -Rs.1000
- Amity Students – Rs.800

FOR REGISTRATION AND PAYMENT

<https://www.amity.edu/lucknow/paymentgateway/rpdc2023>

IMPORTANT DATES:

- Last date for registration and abstract submission – 31st January 2023
- Confirmation of abstract- 31st January 2023
- Submission of paper in proposed form – 5th February 2023
- Dates of seminar – 16th &17th February 2023

ACCOMMODATION & TRAVEL

- Accommodation will be provided on a first come first serve basis
- Travel allowance will not be provided to any of the participants.

PATRON IN CHIEF



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Founder President
Amity Education Group

CO-PATRON IN CHIEF



HON'BLE DR. ASEEM CHAUHAN

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AMITY UNIVERSITY UTTAR PRADESH, LUCKNOW CAMPUS

Amity University Lucknow Campus (AULC) is a constituent unit of Amity University, Uttar Pradesh & it was established in the year 2004 with the sole aim to impart research & innovation-driven education in the region.

The 40-acre state-of-the-art campus is a fine blend of global education, training & research within an academic ambience. With the latest teaching methodologies, AULC offers UGC-recognized Undergraduate & Postgraduate courses in multiple disciplines.

It has 17 institutions which cater to 87 programs having more than 5000 students. The multiple research centers at AULC felicitate research in diversified areas like Nanotechnology, Biotechnology, Electronics, Agriculture, Forensic Sciences & many others.



AMITY LAW SCHOOL, LUCKNOW CAMPUS

Amity Law School Lucknow Campus (ALS-L) is a constituent unit of Amity University, Uttar Pradesh & it was established in the year 2007 with the sole objective to impart research & innovation-driven education in the region. ALS is a fine blend of global education, training & research within an academic ambience. With the latest teaching methodologies, offers UGC-recognized Undergraduate & Postgraduate courses in the law discipline. ALS-L has taken major strides in enhancing internationalization on campus. The intent is to create a multicultural environment that facilitates a truly international and collaborative learning process. With more than thirteen hundred odd students in UG and PG level programs, Amity Law School, Lucknow Campus has instituted the Mentor-Mentee Program to help students to make the right career choice and overcome all hindrances to a successful career. Through this program, students are assisted by faculty in their time of need. The extremely low student-teacher ratio ensures that each faculty member has a group of students under them whom they can guide through regular career counselling, just like a true mentor.

Amity Law School of Amity University Lucknow Campus is currently headed by Prof. (Dr.) J.P. Yadav. The Law School has successfully organised various events from time to time around the year like International and National Seminars, Law Fests and Carnivals, Workshops, National Quizzes, National & Intra Moot Court Competition and National Faculty Development Programmes to name a few.

Features of ALS L:

- Guest Lectures
- Summer Internship
- Technical skills enhancement programs
- Seminars, Conferences & Workshops
- Moot courts

Courses offered by ALS-L:

- B.A. LL. B. (Hons)
- BBA LL.B. (Hons)
- LL.M.
- Doctor of Philosophy (Law) - Part Time
- B.Com. LL.B. (Hons)
- LL.B.
- Doctor of Philosophy (Law)