

DO YOU KNOW?

YOUR DIGITAL RIGHTS IN INDIA



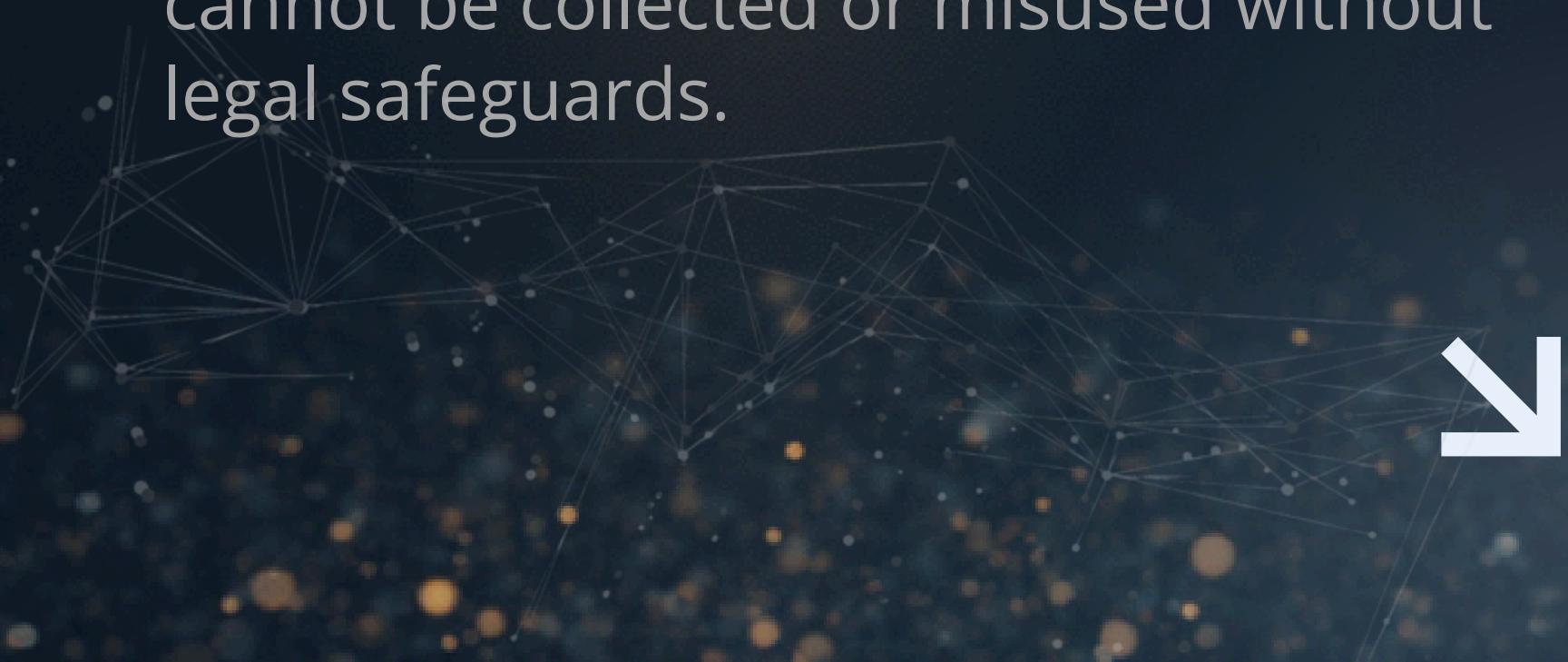
*From privacy to free speech—know the
rights that protect you online in 2025*



RIGHT TO PRIVACY – THE FOUNDATION

Constitutional Protection Under Article 21

- The landmark Justice K.S. Puttaswamy (Retd.) v. Union of India judgment (2017) held privacy a fundamental right under Article 21, which **covers** your **digital life**, personal data, and autonomy online.
- **What this means:** Your personal data cannot be collected or misused without legal safeguards.



RIGHT TO DATA PROTECTION

DPDP Act 2023: Your Data, Your Control

- India's first comprehensive data protection law gives you:
 - **✓ Right to access your data**
 - **✓ Right to correct inaccuracies**
 - **✓ Right to erase data**
 - **✓ Right to grievance redressal**
 - **✓ Right to nominate someone for your data after death/incapacity**



SPECIAL PROTECTION FOR CHILDREN

Under-18? Extra Rights Apply

- The DPDP Act prohibits:
 - **🚫** Tracking or profiling children
 - **🚫** Targeted advertising to minors
 - **✓** Requires verifiable parental consent before processing children's data

India offers stronger child data protections than many global frameworks.



RIGHT TO FREEDOM OF EXPRESSION (ONLINE)

Article 19(1)(a) Extends to Digital Space

- You have the constitutional right to express yourself online, subject to reasonable restrictions (public order, defamation, and incitement).
- **Key Victory:** The Supreme Court struck down Section 66A of the IT Act (2015) for being “unconstitutionally vague” and having a “chilling effect” on free speech.



RIGHT TO ACCESS—BRIDGING THE DIGITAL DIVIDE

Digital Access is a Fundamental Right

- **Recent Supreme Court ruling (2025):**
Digital access for persons with disabilities (PwDs) is part of the right to life and liberty under Article 21.
- **Mandates:**
 -  Accessible e-governance systems
 -  Inclusive digital KYC
 -  Compliance with RPWD Act 2016 and IS 17802 standards.



NET NEUTRALITY—EQUAL INTERNET FOR ALL

Responding to Breaches

- 'Net- Neutrality' refers to the concept of **non-discrimination** of **internet traffic** by intermediate networks on any criteria.
- Internet Service Providers (ISPs) must treat all internet traffic equally; no blocking, throttling, or paid prioritisation.
- **What this means:** Everyone has equal access to information and services online, regardless of financial resources.



RIGHT AGAINST HARASSMENT & ABUSE

IT Act Sections 72 & 72A: Privacy Breach Penalties

- Unauthorised disclosure of personal information can lead to:
 -  Imprisonment up to 3 years
 -  Fines up to ₹5 lakh
- Additional protections exist under the BNS for cyberstalking, cyberbullying, and identity theft.



KNOW YOUR DUTIES TOO

With Rights Come Responsibilities

- As a **Data Principal**, you must:
 - **✗** Not impersonate others
 - **✗** Not file false complaints
 - **✗** Provide authentic information
 - **✓** Comply with applicable laws



*Centre for Research and
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Empower Yourself—Know Your Digital Rights!

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