

2025

Centre for Research and  
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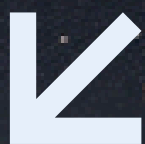
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DO YOU KNOW?

# 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



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# ***Empower Yourself—Know Your Digital Rights!***

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