


Name: Enrolment No:			
UNIVERSITY OF PETROLEUM AND ENERGY STUDIES End Semester Examination, May 2023			
Course: Data Security Law Program: LL.M. Course Code: CLCY 7006 P		Semester: II Time : 03 hrs. Max. Marks: 100	
Instructions: All questions are mandatory.			
SECTION A (5Qx2M=10Marks)			
S. No.	All questions are compulsory. Each question carries 2 marks.	Marks	CO
Q 1	Define the term 'Data' under the Information Technology Act, 2000.	2	CO1
Q 2	What do you understand from the term 'Data Localization'?	2	CO1
Q 3	Explain the features of Fair Credit Reporting Act of 1970 ('FCRA').	2	CO1
Q 4	What are six (6) themes propounded by renowned scholar Solove in his work 'Conceptualizing Privacy'?	2	CO1
Q 5	The terms "data" and "information" are interchangeable and mean the same thing. However, they are not same and there is a difference between the two words. Explain the difference between these two terms with examples.	2	CO2
SECTION B (4Qx5M= 20 Marks)			
Q 6	<p>“Today we use computers for storing confidential data from various sectors such as banking, finance, health, personal property etc. We also use internet for transactions of information related to these sectors. But in many situations, confidential data may be illegally used, and corrupted by unauthorized users. The increase in Internet traffic has led to a higher proportion of legal issues worldwide.”</p> <p>Keeping in view the above statement explain that what is the need for the protection of 'Data'? What are the legal measures for the protection of data?</p>	5	CO3
Q 7	Highlight the relevance of Health Insurance Portability and Accountability Act of 1996 ('HIPAA').	5	CO3

Q 8	The modern history of privacy can be traced to the famous phrase, the right “to be let alone” dated 1834. Who are the fathers of Modern history of Privacy? Explain their theory.	5	CO2
Q 9	Does the Information Technology Act, 2000 deal with ‘Data Protection? Yes or No? Justify your answer with the relevant sections.	5	CO1
SECTION-C (2Qx10M=20 Marks)			
Q 10	The last decade of the 20th century presented profound new challenges for the protection of information privacy, such as the rise of the Internet and the increasing use of email in the mid-1990s. The most imminent threat to privacy comes from the innocuous machine that we call computer & internet which when networked with other computers can transmit information from one corner of globe to the other within fraction of seconds. In the light of above-mentioned statement, explain the threats to digital data available in cyberspace.	10	CO1
Q 11	“Privacy is an interest of the human personality. It protects the inviolate personality, the individual’s independence, dignity and integrity. One can safely argue that basically there are three elements in privacy: secrecy, anonymity and solitude. It is a state which can be lost, whether through the choice of the person in that state or through the action of another person.” Write a note on ‘Theoretical Background of Privacy’ with the help of theories on privacy propounded by several scholars.	10	CO2
SECTION-D (2Qx25M=50 Marks)			
Q 12	The Ministry of Electronics and Information Technology (Meity) made the headlines by issuing the much awaited draft data protection framework titled “Digital Personal Data Protection Bill, 2022”. The 2022 Bill comes after a series of tumultuous turns in the Personal Data Protection Bill, 2019. In this background answer the following: 1. What were the features of the Personal Data Protection Bill, 2019? (10 marks) 2. What are the features of the Digital Personal Data Protection Bill, 2022? (10 marks) 3. What is the difference between the two Bills? (5 marks)	25	CO3
Q 13	The right to privacy against unreasonable search and seizure has been recognised under the fourth amendment to the US Constitution. As early as 1954, privacy rights came under the scrutiny of the Supreme Court of India in the case of M.P Sharma v. Satish Chandra [AIR 1954 SC 300	25	CO3

	<p>where the process of search and seizure was challenged in the light of fourth amendment to the American Constitution. After this case the journey towards Right to privacy begins.</p> <p>Elaborate in detail the “Supreme Court on Right to Privacy – 1954 to 2019” with the help of relevant case laws.</p>		
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