


Name:			
Enrolment No:			
<b>UPES</b> <b>End Semester Examination, May 2025</b>			
<b>Course: Data Protection Law</b> <b>Semester: X</b> <b>Program: B. Tech Computer Science and Engineering with LL. B in Cyber Laws</b> <b>Time: 03 hrs.</b> <b>Course Code: CLCB 5017</b> <span style="float: right;"><b>Max. Marks: 100</b></span>			
<b>Instructions:</b> <ul style="list-style-type: none"> <li>• All questions are compulsory. There is no choice in any section of the question paper.</li> <li>• Support your answers with relevant case laws, statutory provisions, and legal reasoning wherever applicable.</li> </ul>			
<b>SECTION A</b> <b>(5Qx2M=10Marks)</b>			
S. No.		<b>Marks</b>	<b>CO</b>
Q 1	Define 'Data Concerning Health'	2	CO2
Q 2	Explain Pseudonymization.	2	CO1
Q 3	Elaborate the term 'Personal Data Breach' under DPDP.	2	CO1
Q 4	Define 'Data Principal'.	2	CO2
Q 5	First legislation on the Privacy was set by..... Country.	2	
<b>SECTION B</b> <b>(4Qx5M= 20 Marks)</b>			
Q 6	Elaborate the key provision of the applicability of the DPDP act.	5	CO2
Q 7	What are the key elements of 'Right to restriction of processing'.	5	CO2
Q 8	Is there any difference between right to erasure and right to forgotten? Support your answer with the relevant provision as per GDPR.	5	CO2
Q 9	Describe the composition and qualifications for appointment of Chairperson and Members.	5	CO2
<b>SECTION-C</b> <b>(2Qx10M=20 Marks)</b>			
Q 10	Discuss the conditions required for the registration of a Consent Manager and critically analyse their legal obligations under the DPDP Rules.	10	CO3

Q 11	Examine how a Data Controller's representative is required to maintain a record of processing activities (ROPA), and critically analyse the key responsibilities associated with ROPA under the data protection framework.	10	CO3
<b>SECTION-D</b> <b>(2Qx25M=50 Marks)</b>			
Q 12	<p>The case was initiated on a <i>suo moto</i> basis where the Competition Commission of India (CCI) found the privacy policy update of WhatsApp in 2021 in <i>prima facie</i> violation of the Competition Act, 2002. The content of the update was that the users must either consent to cross-sharing of their data on WhatsApp with other Meta group of companies such as Facebook and Instagram or stop using WhatsApp at all. The Commission held that the 'take-it or leave-it' nature of the policy leaves consumers at a disadvantage thereby requiring detailed consideration of the matter. The <i>suo moto</i> matter was then clubbed with two separate complaints filed by one Prachi Kohli and non-profit organisation Internet Freedom Foundation on similar issues later.</p> <p><b>Question 12.1</b> Discuss the penalty imposed by CCI and other directions given to Meta. <b>8 Marks</b></p> <p><b>Question 12.2</b> What are the Key provisions related to the penalties given under DPDP act 2023? <b>12 Marks</b></p> <p><b>Question 12.3</b> Distinguish the penalties mentioned under GDPR and DPDP. <b>5 Marks</b></p>	25	CO3, CO4
Q 13	In November of 2018, Marriott International Inc., a multinational hotel corporation, notified customers of a data breach resulting in the possible disclosure of credit cards, passport numbers, and other personally identifying info belonging to 300 million customers. The breach was the result of an unknown attacker who had gained access to the systems of Starwood hotels in 2014, who then merged with Marriott in 2015. The Information Commissioner's Office (ICO) of the United Kingdom fined Marriott £18.4 million for the breach, citing the General Data Protection Regulation article 32 which states that companies serving EU residents must take appropriate measures regarding securing personal data. The penalty set a notable precedent for GDPR-related adjudication due to the ICO citing COVID-19 and Marriott's cooperation in the investigation as reasons for lessening the resulting fine.	25	CO3,CO 4

	<p><b>13.1</b> In light of the facts presented in the above case, critically analyse the legal issues involved and based on your reasoned opinion, determine the appropriate penalties that should be imposed in accordance with the relevant laws. <b>15 Marks</b></p> <p><b>13.2</b> What are the Key differences between GDPR and DPDP act? <b>10 Marks</b></p>		
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