



**DPLRC2020**

# DATA PROTECTION LAW RESEARCH COMPETITION

Knowledge  
Partners



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## CONCEPT NOTE

The Journal of Innovation, Competition and Information Law (JICIL) is a law journal focussed towards contributing in the areas of intellectual property, competition, technology and data protection laws. The Editorial Board proposes to organize the Data Protection Law Research Competition 2020 in furtherance of its goals to spread awareness on the forthcoming regime on data protection amongst the academic fraternity and enabling lawyers of tomorrow to make valuable academic contributions and specialize in technology and data law. The competition is organized in association with the Cell for Law & Technology, NLIU Bhopal, BlockSuits and Asian School of Cyber Laws, Pune.

### *The Emergence of Data Protection Law*

The concept of data protection and privacy has transformed over the years in many jurisdictions across the world and India has been no exception. The judicial interpretation of privacy from a mere 'right to be let alone' to a comprehensive right to privacy with recognized facets and principles of informational privacy is no small achievement. Courts in India have, time and again, emphasized on the importance of privacy and the right to informational privacy in various contexts. The Puttaswamy verdict is the most significant confirmation and test among them, with the three-step test, facets of informational privacy being recognized in the judgment, and its application later to the Aadhaar Act. Privacy laws in India have largely been sector-driven apart from an overarching Information Technology Act and the rules thereunder. These sectoral laws have defined regulatory framework for specific types of data, ranging from financial, health, insurance to data relating to telecommunications.

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*NASSCOM predicted that the data market in India is expected to grow to a staggering USD 16 billion by 2025 at a 26 percent CAGR*

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The data analytics and big data market in India is growing at a faster pace than ever before, with some studies estimating a compounded annual growth rate of over twenty percent. The growth of internet penetration, use of mobile and other devices, digital payments is also manifold every year. These developments indicate the importance of the forthcoming regime surrounding data in the largest data market. This competition seeks to promote the spirit of research in the area of privacy and data protection laws in India. The two broad brackets of forthcoming data protection law that this competition seeks to include

- **Personal Data Protection Law:** The Personal Data Protection Bill, 2019 is currently (as of August 2020) being reviewed by a joint parliamentary committee which is expected to present its report and recommendations to the Parliament soon.



- **Non-Personal Data Governance Law**: The Committee of Experts released a report on the proposed governance framework soliciting public comments and suggestions on the report to be provided by September 2020.

This competition encourages law students and students from other allied branches, to participate in the competition to author short articles or position papers by analysing existing and forthcoming data law in a varied context. Subsequently, select teams may qualify for a second round, where they may be required to defend their research and position as indicated in their articles.

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*“Without data and analytics, organizations are blind and deaf in the middle of a freeway”*  
– Geoffrey Moore

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## FORMAT OF THE COMPETITION

The competition is proposed to be held over 2 (two) rounds:

- (a) **Round 1** is a written submission round, which involves submission of research works, in the form of Short Articles, Position Papers or Research Papers, by authors analysing prominent aspects of Personal Data legislation or Non-Personal Data legislation. The research may either be based on analysis of a specific forthcoming legislation/report, including comparative analysis of specific provisions or portions, be thematic or may analyse implications on a specific sector. An indicative list of topics is provided below:
  - (i) Sectoral analysis of the proposed non-personal data framework, for example, to the outsourcing sector;
  - (ii) Regulatory view of automated processing and decisions based on AI/ML;
  - (iii) The PDP Bill & its implementation in an Internet of Things world;
  - (iv) Analysis of grounds for processing under EU law and PDP Bill;
  - (v) Data privacy implications of response to the COVID-19 pandemic in a PDP law vis-à-vis GDPR contemplative;
  - (vi) Localization & Cross-border data transfers;
  - (vii) PDP Bill and its effect of WHOIS Registry in India;
  - (viii) Changing winds of FinTech industry with the emergence of data law;
  - (ix) Treatment of Health Data under forthcoming regime;
  - (x) Big Data Mergers: Collusion with competition jurisdiction;
  - (xi) Data processing by Government: Comparative study.
- (b) **Round 2** is a virtual presentation round, where researchers are expected to present and defend their work before a panel of members experienced in technology and data privacy laws. The Board may choose to present conflicting ideas, approaches, the criteria for adjudication will be uploaded on the website.



## REGISTRATION

**Eligibility.** Any undergraduate or postgraduate law student (i.e. in the 5-year or 3-year law programme or LL.M.) is eligible to participate in the competition. A team may comprise of a maximum of 3 (three) participants. We encourage students pursuing management, commerce, technical or science courses from any institution to participate in the competition in order to ensure diverse perspectives are taken into account. However, at least 1 (one) student pursuing law must be a part of the team, to ensure that coverage of legal aspects is ensured.

**Registration Fee.** Participants are expected to fill the Registration Form and pay the Registration Fee of Rs. 200 (Two Hundred Rupees only) per team through an online payment gateway (including wallets) to enrol for the competition. We do not restrict registration of multiple teams from the same college or require any authorizations to be provided to us for the registration.

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*“Data is the pollution problem of the information age and protecting privacy is the environmental challenge” – Bruce Schneier*

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## REWARDS

- (a) All certificates are jointly issued by JICIL, the Cell for Law & Technology, NLIU Bhopal, Asian School of Cyber Laws, Pune and BlockSuits.
- (b) JICIL and Cell for Law & Technology, NLIU Bhopal may decide to jointly publish the articles selected for the second round in the form of a special publication.
- (c) All teams which have registered for the competition and sent their entries for the competition, are eligible to receive a digital certificate of participation.
- (d) The Winning Team would be entitled to receive a Certificate of Merit (Winners) in addition to a cash prize of Rs. 2,000/- (Two Thousand Rupees only), in addition to the following:
  - (i) Eligibility to enrol in a course offered by Asian School of Cyber Laws, Pune; and
  - (ii) Collaborative paid project with the team at BlockSuits.
- (e) The Runner-Up Team would be entitled to receive a Certificate of Merit (Runners-Up) in addition to cash prize of Rs. 1,000/- (One Thousand Rupees only).



## SCORING CRITERIA

The following is the proposed criteria for scoring for the first round of the competition.

- (a) Clarity of thought and expression
- (b) Coherence & Consistency
- (c) Structure & Flow
- (d) Legal and factual accuracy
- (e) Review of literature and updated case law
- (f) Novelty of argument and analysis
- (g) Originality of article
- (h) Use of empirical data for substantiation

*(in no order of importance)*

We may summarily reject submissions which are not original or have been found to be heavily plagiarized from a published source.

## CONTACT

You may contact the below mentioned members in case of any queries or suggestions in relation to the competition:

- **Ms. Nayanikaa Shukla**, *Convenor*
- **Mr. Arvind Kumar**, *Co-Convenor*

You may reach out to us through:

OUR WEBSITE <http://jicil.info/dplrc>

OUR EMAIL [dplrc@jicil.info](mailto:dplrc@jicil.info)

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