

**FUNDAMENTALS OF DATA PROTECTION – CURRENT  
COMPARATIVE GLOBAL PERSPECTIVES**

***Responsible Faculty Instructor:***

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Assistant Professor

Credits: 4

Credits Type: Non-Law

Cross-registration: Allowed

Pre-requisites: None

COURSE DESCRIPTION (COURSE VISION):

The course aims to introduce learners to data protection concepts. Various current challenges in data protection worldwide will also be covered. The idea is to study the significant facets of legislation globally. The course uses materials from India, the EU, the UK, the USA, China, and Singapore; however, the idea is to facilitate and allow exploration of data protection ideas globally. The choice of jurisdictions ensures that varied perspectives on different facets of legislation from around the globe are covered.

TEACHING METHODOLOGY:

Teaching will take place through lectures and class discussions. The assignments will allow learners to explore any topic of their choice related to data protection, and I will work with the learner to help develop their ideas.

INTENDED LEARNING OUTCOMES:

Learners should through the course –

Have conceptual clarity in data protection.

Identify global data protection challenges.

Think about and develop their ideas in data protection.

READING LIST (up to 10 select readings):

Detailed list included below, along with the weekly reading plan.

WEEKLY READING PLAN (WEEKLY OUTLINE):

A weekly plan is provided below:

MODULES	WEEK(S)
<p style="text-align: center;"><b>MODULE 1: FOUNDATIONS OF DATA PROTECTION</b></p> <ul style="list-style-type: none"> <li>- <b><i>The ideas of privacy and surveillance, and their connection to data protection</i></b></li> </ul> <p>Surveillance: a very short introduction. Oxford University Press. (2024)</p> <p>Wacks, R. Privacy: A very short introduction. Oxford University Press (2015).</p> <p>Justice K.S. Puttaswamy <i>v.</i> Union of India, Supreme Court of India.</p> <ul style="list-style-type: none"> <li>- <b><i>Introduction to key concepts of data protection legislation (definitions, scope, grounds of processing, principles of processing, rights of the individual)</i></b></li> </ul> <p>Paarth Naithani, 'Analysis of India's Digital Personal Data Protection Act, 2023', International Journal of Law and Management.</p> <ul style="list-style-type: none"> <li>- <b><i>Introduction to unique provisions and approaches of different jurisdictions worldwide - India, EU, USA, China, and others.</i></b></li> </ul> <p>India's DPDP Act, 2023 and DPDP Rules, 2025 EU GDPR America's ADPPA China's PIPL</p>	1-4
<p style="text-align: center;"><b>MODULE 2: CONSENT TO DATA PROCESSING</b></p> <ul style="list-style-type: none"> <li>- <b><i>The idea of Deemed consent and legitimate use in Singapore and India</i></b></li> </ul> <p>Deemed consent through Singapore's Data Protection Law, Guidance and Cases</p> <p>Naithani, P. (2025). Strengthening Legitimate Use in India's Digital Personal Data Protection Act, 2023. <i>Global Privacy Law</i></p>	5-7

<p><i>Review, 6(2).</i></p> <ul style="list-style-type: none"> <li>- <b><i>Consent to targeted advertisement with reference to EU jurisprudence</i></b></li> </ul> <p>Judgment of the Court (Grand Chamber) of 4 July 2023. Meta Platforms Inc and Others v Bundeskartellamt. Case C-252/21. ECLI:EU:C:2023:537.</p> <ul style="list-style-type: none"> <li>- <b><i>Legality of the pay or consent model in UK and EU</i></b></li> </ul> <p>ICO, UK Guidelines - Consent or Pay - <a href="https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/online-tracking/consent-or-pay/">https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/online-tracking/consent-or-pay/</a>.</p> <p>EDPB Opinion 08/2024 on Valid Consent in the Context of Consent or Pay Models Implemented by Large Online Platforms Adopted on 17 April 2024.</p> <ul style="list-style-type: none"> <li>- <b><i>Centralised opt out of targeted ads and protection from data brokers - USA model</i></b></li> </ul> <p>America's ADPPA provisions</p> <ul style="list-style-type: none"> <li>- <b><i>The scope and role of the Consent manager in India</i></b></li> </ul> <p>Jain, A. S. (2025). Decoding consent managers under the Digital Personal Data Protection Act, 2023: Empowerment architecture, business models and incentive alignment. <i>Journal of Data Protection &amp; Privacy</i>, 7(4), 406-420.</p> <ul style="list-style-type: none"> <li>- <b><i>Childrens' data and Parental consent approaches</i></b></li> </ul> <p>India's DPDP Act, 2023 and Rules, 2025 Other approaches globally</p>	
<p style="text-align: center;"><b>MODULE 3: TRANSPARENCY</b></p> <ul style="list-style-type: none"> <li>- <b><i>Standardisation for universal understandability - EU jurisprudence</i></b></li> </ul> <p>Rossi, A., &amp; Palmirani, M. (2019). DaPIS: A data protection icon set to improve information transparency under the GDPR. <i>Knowledge of the Law in the Big Data Age</i>, 252(181-195), 5-5.</p> <p>Naithani, P. (2025). Standardised cookie banner: a solution to the cookie consent problem. <i>International Review of Law</i>,</p>	8

<p>Computers &amp; Technology, 39(2), 213-230.</p> <ul style="list-style-type: none"> <li>- <b>Privacy policy using global standards</b></li> </ul> <p>Gupta, I., &amp; Naithani, P. (2025). Privacy policies of healthcare services in India: using transparency scale to measure compliance level. <i>International Journal of Law and Management</i>, 1-27.</p> <ul style="list-style-type: none"> <li>- <b>Transparency for Children - the UK Guidance</b></li> </ul> <p>Children's code guidance and resources - <a href="https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/childrens-information/childrens-code-guidance-and-resources/">https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/childrens-information/childrens-code-guidance-and-resources/</a></p>	
<p style="text-align: center;"><b>MODULE 3: RIGHT TO BE FORGOTTEN</b></p> <ul style="list-style-type: none"> <li>- <b>Right to be forgotten evolution and jurisprudence</b></li> </ul> <p>Viktor Mayer Schönberger on The Right to be Forgotten - IIEA</p> <ul style="list-style-type: none"> <li>- <b>Publicly available data exemption in India and its intersection with erasure right</b></li> </ul> <p>DPDP Act, 2023 exemption</p> <ul style="list-style-type: none"> <li>- <b>Balancing erasure and competing interests in EU jurisprudence</b></li> </ul> <p>C-131/12, Google Spain SL v. APED (the DPA) &amp; Maria Costeja Gonzalez, 2014</p>	9
<p style="text-align: center;"><b>MODULE 4: AUTOMATED DECISION-MAKING (ARTIFICIAL INTELLIGENCE)</b></p> <ul style="list-style-type: none"> <li>- <b>How AI challenges Data Protection and Privacy</b></li> </ul> <p>Solove, D. J. (2025). Artificial intelligence and privacy. <i>Fla. L. Rev.</i>, 77, 1.</p> <ul style="list-style-type: none"> <li>- <b>Article 22 of the EU GDPR - Right against automated decision-making – cases and decisions</b></li> </ul> <p>Automated Decision-Making Under the GDPR: Practical Cases from Courts and Data Protection Authorities - <a href="https://fpf.org/wp-content/uploads/2022/05/FPF-ADM-Report-R2-singles.pdf">https://fpf.org/wp-content/uploads/2022/05/FPF-ADM-Report-R2-singles.pdf</a></p>	10

<p style="text-align: center;"><b>MODULE 5: GLOBAL DATA PROTECTION IDEAS AND CHALLENGES</b></p> <p><b>- <i>Privacy by design</i></b></p> <p>Cavoukian, A. (2009). Privacy by design: The 7 foundational principles. <i>Information and privacy commissioner of Ontario, Canada</i>, 5(2009), 12.</p> <p><b>- <i>Dark patterns and data protection</i></b></p> <p>EDPB, Guidelines 03/2022 on deceptive design patterns in social media platform interfaces: how to recognise and avoid them</p> <p><b>- <i>Online tracking, anonymity and data protection</i></b></p> <p>Rishab Bailey, Vrinda Bhandari, and Faiza Rahman, Examining the Online Anonymity Debate: How Far Should the Law Go in Mandating User Identification? (June 10, 2021). Data Governance Network, Working Paper 18, 2021, Available at SSRN: <a href="https://ssrn.com/abstract=4023323">https://ssrn.com/abstract=4023323</a>.</p> <p>C-673/17 Bundesverband Der Verbraucherzentralen UND Verbraucherverb ande- Berbraucherzentrale Bundersverband v. Planet 49 GmbH</p> <p><b>- <i>Data localisation and global data transfers</i></b></p> <p>CJEU - Schrems I and C-311/18- Facebook Ireland [Schrems II] decisions</p> <p>The concept of adequacy</p>	11-13
<p style="text-align: center;"><b>MODULE 6: COMPARATIVE GLOBAL INSIGHTS</b></p> <p>- READINGS AND TOPICS WILL BE ADDED</p>	14
<b>REVISION WEEK</b>	Week 15