

## Book Review

# LAW ON PROTECTION OF PERSONAL & OFFICIAL INFORMATION IN INDIA\*

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'Law on Protection of Personal & Official information in India' is currently facing many obstacles due to the absence of proper Legislative Frame Work. There is no express Legislation in India dealing with the protection of personal and official information, even though the data protection Bill was introduced in the parliament way back in the year 2006, it is yet to see the light of the day. The Bill is a welcome step in the right direction. While the Information Technology Act of 2000 contains provisions regarding Cyber and related IT Laws India, the act does not address the need for stringent Law on Protection of Personal & Official Information being in place. It is the need of the hour that India need a compressive Law on Protection of Personal & Official information which in turn protect the rights of the individuals. Law has undergone a sea change to make more relevant to the recent times. At the same time there is a dearth of dependable and standard text books. It is in this back drop that the book under review is indeed a welcome initiative on the part of both the author and the publisher.

The book under review is divided into five chapters. Chapter I – is an introduction of the book. The author counters the concept of legal protection provided to the individual, the concept of personal liberty and its relevance to the protection of personal and official information taking the cue from the works of Thomas M. Cooley, the concept of right to privacy and its infringement from the ambit of socio legal rights, views of the Ancient Hindu Law givers, various international conventions and judicial decisions.

The Second chapter of the book related to Discloser of Personal Information by Government Practices. Covering the Identity Card Systems, Surveillance and Interception of Communications, Exploration of Internet, National Security and The Project Echelon, Video Surveillance, Work Place Surveillance, Technology Transfer and Policy Convergence, Using Geographic Information Systems and Discloser of Governmental Records.

The Third chapter of the book related to Protection of Personal Information in India. Covering Indian Evidence Act, 1872 with special

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reference to communication between Husband and Wife protected Sources of Information, Professional Communications Protected, Position of Interpreters etc. Further various legislations such as the Dramatic Performances Act, 1876, Indian Easements Act, 1882, The Indian Telegraph Act, 1985, The Indian Post Office Act, 1898, Newspaper (Incitements to Offences) Act, 1908, The Indian Press Act, 1910, The Industrial Disputes Act, 1947, The Indian Commission of Enquiry Act, 1952, The Young Persons (Harmful publications) Act 1956, Criminal Procedure Code, 1973 , The Water (Prevention and Control of Pollution) Act, 1974, Terrorist Affected Area (Special Courts) Act, 1984, The Information Technology Act, 2000, Right to Information Act, 2005 with special emphasis on protection of Personal Information, Test of Privacy, Procedure of Protection of Personal Information, Protection of third party Information, Public authority as a third party who can claim Exemption from discloser are analyzed. Author analyzed the Protection of Personal Information with the help of Judicial Innovations with in the ambit of public interest. Emphasis was laid on Protection of pleadings as well.

The Fourth chapter of the book related to Protection of Official Information in India, with special reference to Indian Evidence Act, 1872, Dramatic performances Act, 1876, The Indian Press Act, 1910, The Official Secret Act, 1923, and the Right to Information Act, 2005.

The Fifth chapter of the book related to Protection of Personal Information in Developed Countries. This chapter is further divided into 2 parts: Part 1 dealt with publication of Personal Information Protected, Commercial Information Protected, Legislations, Personal Information Protected from Governmental Records, Data Protection Laws. Part 2 dealt with protection of Publications of Manuscripts Painting or Photographs, Communications between Husband and Wife protected, Confidential Information Protected, Personal Information Protected in Public Interest, Defence of Public Interest in Disclosure of Communications, Protection of Personal Information under British Data Protection Law.

The book under review is a welcome addition to the scanty literature on Law and Protection of Personal and Official Information in India. In the present work, the Author has copiously referred to the numerous recommendations and suggestions of the courts, International conventions, legislations.

The Author has supplied The Appendix 1 which related to The Right of Privacy by Samuel D. Warren and Louis Brandeis, the Appendix II related to The Official Secret Act, 1923 and The Right to Information Act, 2005.

At various places the author has tried to make an Analytical Assessment of the likely impact of certain provisions relating to protection of personal and official information.

The book and its title cover are well designed with fine printing of the text. It contains a table of cases which gives the reader a perspective on the judicial thinking. The presentation of the book is simple and each chapter is deeply analyzed and supported by the legislative developments and judicial pronouncements. The table of contents, the table of cases and bibliography provided in the book made it handy for immediate reference.

On the whole the book would prove very helpful to the readers of law especially judges, lawyers, students, teachers, researchers and the academic community, who are seeking to find the law on protection of personal and official information in India.