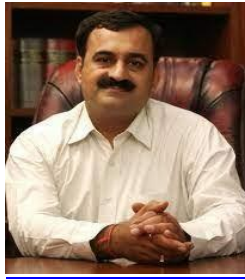


## A BRIEF PROFILE OF DR. PAVAN DUGGAL



### DR. PAVAN DUGGAL Advocate, Supreme Court of India Chairman, International Commission on Cyber Security Law

While a practicing [Advocate, Supreme Court of India](#), [Dr. Pavan Duggal](#) has made an immense impact with an international reputation as an Expert and Authority on [Cyber Law](#), [Cyber Security Law](#), Cybercrime Law, [Artificial Intelligence Law](#) & [E-commerce law](#).

[Google Bard](#) lists [Dr. Pavan Duggal](#) as the topmost cyber lawyers in the world.. [Microsoft's Copilot](#) and [ChatGPT](#) have listed [Dr. Pavan Duggal](#) amongst the top cyber lawyers in the world.

[Dr. Duggal](#) has been acknowledged as one of the top 4 Cyber Lawyers around the world.

[WDD \[World Domain Day\]](#) recognizes him as one of the top 10 Cyber Lawyers around the world.

[Dr. Pavan Duggal](#), is the [Founder & Chairman](#) of [International Commission on Cyber Security Law](#). He is also the President of [Cyberlaws.Net](#) and has been working in the pioneering area of Cyber Law, Cyber Security Law & Mobile Law.

[Pavan](#) is also heading the [Artificial Intelligence Law Hub](#) and [Blockchain Law Epicentre](#). He is the [Founder-cum-Honorary Chancellor](#) of [Cyberlaw University](#).

[Dr. Pavan Duggal](#) is the Chief Evangelist of [Metaverse Law Nucleus](#), Conference Director of [International Conference On Metaverse And Law – Opportunities & Challenges](#) and is also the Conference Director of the [International Conference on Cyberlaw, Cybercrime & Cybersecurity](#), being world's only authoritative Conference on Cyberlaw, Cybercrime & Cybersecurity. In addition, [Dr. Duggal](#) has also conducted various [Round Tables on Cyberlaw, Cybercrime & Cybersecurity](#) over the last couple of years. He has also organized various [Thematic Workshops at the previously held ITUWSIS Forums](#).

His empanelment as a consultant to [UNCTAD](#) and [UNESCAP](#) on Cyber Law and Cyber Crime respectively, membership of the [AFACT](#) Legal Working Group of the [UN](#) / [CEFAT](#), consulting as an expert with the [Council Of Europe on Cyber Crime](#), inclusion in the Board of Experts of European Commission's Dr. E-commerce and his work as an expert authority on a Cyber Law primer for [EASEAN Task Force](#) and as a reviewer for [Asian Development Bank](#) speaks volumes of his worldwide acceptance as an authority.

[Pavan](#) works in the area of Cyberlaw, and is internationally reputed as an expert and authority on [Cyberlaw and E-Commerce law](#). He has also the credit of having done pioneering work in the field

[of mobile law, convergence law and dark net law.](#) He is the president of [Cyberlaw Asia](#), Asia's pioneering organization committed to the passing of dynamic cyberlaws in the Asian continent.

[Dr Duggal is also a member of the WIPO Arbitration and Mediation Center Panel of Neutrals.](#) He is also a member of NOMNOM Committee on Multilingual Internet Names Consortium (MINC).

Dr. Pavan Duggal, in association with [International Telecommunications Union](#), conducted two [Training cum Sensitization Programmes for the elected Judges and Officers of the International Court of Justice \(ICJ\) at The Hague, Netherlands on 23rd May, 2019.](#)

[As an internationally renowned Cyber law and Cyber security subject expert, at the world stage during the High-Level Policy Statement delivered by him at the World Summit on Information Society \(WSIS\) organized by the International Telecommunications Union \(ITU\), UNESCO, UNCTAD& UNDP in Geneva, Switzerland from 25th May – 29th May, 2015. Pavan Duggal has recommended the need for coming up with an International Convention on Cyberlaw & Cyber Security.](#)

[He has been associated with UNESCO on various legal and policy issues concerning cyberspace. As a thought leader, Dr. Duggal has suggested that India requires a new legislation that is wholly dedicated to cyber security.](#)

Pavan, as an international expert and authority, conducts 44 different online courses at [Cyberlaw University](#), which have been subscribed by more than 31,500 students from 174 countries, speaking 53 national languages with excellent ratings.

Pavan is a [member](#) of the [Board of Globethics.net](#), global network of persons and institutions interested in various fields of applied ethics.

Dr Duggal has been the Member of the [Public Interest Registry's.Org Advisory Council](#). He is a member of ICT policy and governance working group of the [UNICT](#) taskforce. He is the legal and policy Consultant to Internet Mark 2 Project, which is examining the next level of internet. He has been invited to be an Associated Fellow of the Centre for Asia Pacific Technology Law and Policy (CAPTEL) at Singapore. He is a Member of Panel of Arbitrators of the Regional Centre for Arbitration, Kuala Lumpur and Asian Domain Names Dispute Resolution Centre at Hong Kong. He is a [Panel Member Of Permanent Monitoring Panel For Information Security-World Federation Of Scientists](#).

He has been associated with the [Ministry Of Communication and Information Technology, Government of India](#) on Cyber Law and Electronic Governance legal issues and is a member of [Advisory Committee on e-governance in Karnataka constituted by the Government of Karnataka](#). As also a member of Information Forensic Working Group on E-Information Systems, Security and Audit Association.

Dr. Duggal is a member of [Multi – Stakeholder Steering Group of the Asia Pacific Region Internet Governance Forum \(APRIGF\)](#).

He is the Founder of [Cyberlaw Clinic](#) and [Clinic Mentor of Semcom Cyberlaw Clinic](#).

He heads his niche law firm [Pavan Duggal Associates](#), which has practice areas, amongst others, in Cyber Law, Business Process Outsourcing Law, Intellectual Property Rights and Information Technology Law, Information Security Law, Defence, Biotech and Corporate Law.

While he has been a member of the [Nominating Committee, Membership Advisory Committee and Membership Implementation Task Force of ICANN](#), Pavan is the founder of the [Cyber Law Association](#) and is also the [Founder-President, Cyberlaw India](#).

Pavan is the Chair of CII Summit on Cyber Security of [CII, Delhi](#). Pavan is the Co-Chairman of the [Cyber Security Committee of ASSOCHAM](#), was the Chairman of the Cyber Law Committee of [ASSOCHAM](#) and works closely with CII and [FICCI](#).

Some outstanding pioneering work in the field of BPO legal issues has resulted in his being a member of the BPO Steering Committee of ASSOCHAM. Today, he advises a number of BPO concerns on different legal issues relating to outsourcing.

Dr. Pavan Duggal has been bestowed with the honour as the Practice Professor on Cyberlaw and Cyber Security by Manav Rachna International University.

Dr. Pavan Duggal was awarded with Professor of Eminence in Cyber Security Law by Lex Consilium Foundation and Akhil Bhartiya Vidhi Pradhyapak Sangam under the project Nurturing Smart Teachers.

#### ❖ **Achievements**

He has been a member of number of committees namely:

- [Member of the Permanent Monitoring Panel on "The Future of Cyber Security" of the World Federation of Scientists, an organization active in the framework of ICSC – International Centre for Scientific Culture - World Laboratory](#)
- [Permanent Monitoring Panel \(PMP\) on Information Security, established by World Federation of Scientists](#)
- [The ICANN Nominating Committee representing the Asia Pacific region, 2003 and 2004](#) ○ [Membership Advisory Committee of The Internet Corporation for Assigned Names and Numbers \(ICANN\)](#)
- [Advisory Council of the Institute of Cyber Security and Law of University of Delhi](#)

#### ❖ **Contributions to Cyber Security Legal Jurisprudence**

[Duggal has been contributing to pushing the envelope of Cyberlaw jurisprudence, specifically in the context of cyber security. He has highlighted the need for further beefing up Indian cyber security legal response. He has argued “Till now, India has only adopted a lip service approach to cybersecurity.” He has stated that “we need to realise that we are behind the curve on handling cyber security. In the current scenario, the cyber security breaches are not being given enough attention by the law enforcement agencies. This needs to change. We can’t have national security unless we pay adequate attention to cyber security.”](#)

While talking about lack of national geospatial policy or guidelines in India, which prevents multidimensional understanding of cyber security from geospatial prism, Dr. Pavan Duggal has pointed out that “India lacks a dedicated law on cybersecurity. Moreover, even globally there’s no binding international law on it”, said Dr. Pavan Duggal, Chairman, International Commission on Cyber Security Law.

He has been underlining the need for India to have dedicated legislation on cyber security.[16] He has highlighted that “India requires a new legislation that is wholly dedicated to cyber security. It is not sufficient to merely put cyber security as a part of the IT Act.” In this regard, he has highlighted that “we will have to have a collaborative model on cyber-security. We need to create more awareness on cyber-security.” He has further argued that “we must start to inculcate cybersecurity as a way of life.”

He has cautioned against blind-folded relying upon the digital platforms in the context of cyber security. He has cautioned that “what was secure yesterday is not secure today and what is secure today will not be secure tomorrow. Blindfoldly relying upon these platforms would not suffice. There is a need for people to incorporate cyber security as away of life.”

Pavan Duggal has recommended the need for coming up with an International Convention on Cyber Laws and Cyber Security.

Dr. Pavan Duggal has highlighted the significance of Government of India’s new directives on cyber security in terms of reporting of cyber security breaches. He has highlighted the game changing impact of the new directions issued by the Indian Computer Emergency Response Team (CERT-In) on mandatory cyber security reporting.

Pavan Duggal, an advocate and cyber law expert, said this is the first time the government issued directives on cyber law “of this magnitude and nature.” He further added, “India presently does not have a dedicated cyber security law, and the IT Act, 2000, only dealt with some aspects of it. The new rules bring every company in India under scrutiny and require logs of ICT servers to be maintained for a rolling period of 180 days for transparency and accountability.”

“By a single stroke of secondary legislation, the government has offered umbrella cyber security directions for all companies. These directions could be game-changing in their perspective and amplitude and could be a turning point in providing a robust legal framework for promoting cyber security,” Duggal added.

Regarding Indian cyber security legal approach, Dr. Pavan Duggal has highlighted that "there is still no clarity on the standard operating procedures both in the public and private sector. Till now various stakeholders were dealing in silos and cybersecurity was a divided turf”. He said that a dedicated cyber law is also a must for this holistic approach.

He has further highlighted in the Indian context that the Indian technology legislation is inadequate. It’s not that India doesn’t have any law to deal with cyber security. The Information Technology Act, 2000 has certain provisions for it. However, cyber law expert Pawan Duggal says the law is completely inadequate. “The IT Act is mainly aimed at e-commerce and e-governance. India doesn’t have a dedicated cyber security law.”

Pavan has commented on India's latest foray in cyber security regulations by means of the Directions under sub-section (6) of section 70B of the Information Technology Act, 2000 relating to information security practices, procedure, prevention, response and reporting of cyber incidents for Safe & Trusted Internet bearing No. 20(3)/2022-CERT-In dated 28th April, 2022 issued by the Government of India, Ministry of Electronics and Information Technology (MeitY), Indian Computer Emergency Response Team (CERT- In). Pavan Duggal, an advocate and cyber law expert, said this is the first time the government issued directives on cyber law "of this magnitude and nature." He further added, "India presently does not have a dedicated cyber security law, and the IT Act, 2000, only dealt with some aspects of it. The new rules bring every company in India under scrutiny and require logs of ICT servers to be maintained for a rolling period of 180 days for transparency and accountability." "By a single stroke of secondary legislation, the government has offered umbrella cyber security directions for all companies. These directions could be game-changing in their perspective and amplitude and could be a turning point in providing a robust legal framework for promoting cyber security," Duggal added.

Dr. Pavan Duggal has maintained that the internet cannot be a wild-wild-west and therefore social media firms have to be made accountable and responsible for what goes on their platforms given the blatant contraventions and violations that takes place on social media platforms. Cyber law expert Pawan Duggal, while maintaining that the social media companies must be made more accountable, also points out that the process should be gradual rather than sudden. "India must come up with more cogent and effective mechanisms to make social media firms more responsible. There is a global trend which says blanket exemption from liability should not be given. But making these firms more accountable is a slow process, it's not going to happen overnight," he said.

#### ❖ **Work In Artificial Intelligence Legal Jurisprudence**

Dr. Pavan Duggal has been contributing to the evolving legal jurisprudence on Artificial Intelligence, through his books on Artificial Intelligence and also through his course on Artificial Intelligence legalities.

He has authored the leading treatise being "ChatGPT and Legalities" and "GPT4 and Law" which have elaborated the growing legal and policy issues concerning generative Artificial Intelligence in particular and Artificial Intelligence in general.

He is the Conference Director of Indian National Forum on Artificial Intelligence and National Conference on Artificial Intelligence in Governance and Legalities Post GPT-4o.

He has contributed to academic discussions and debate evolving Artificial Intelligence jurisprudence. He has broadly highlighted the importance of Artificial Intelligence in the context of judicial systems. Pavan Duggal, Founder, Pavan Duggal Associates & Head, Artificial Intelligence Law Hub expressed hope about the quantum jump the judiciary system will be taking in the next ten years. "With Artificial Intelligence (AI), block chain and Internet of Things (IoT) changing the world around, the judiciary is bound to evolve dramatically by 2030. And so will be the demand of service from lawyers. With all the information and technological support at hand, the client will already have the data analysis and insights. They would require lawyers to guide them through it and provide necessary support. Hence the future lawyers need to be super lawyers who will be analyst, broadcaster and lawyer, all rolled into one." He remarked.

## ❖ Role in Evolving Metaverse Law

Duggal has been working on the legal issues of Metaverse. He is the Chief Evangelist of Metaverse Law Nucleus.

He has highlighted various legal challenges thrown up by Metaverse including issues pertaining to its legalities, growing phenomenon of Metaverse and the need for regulating breaches of cyber security in Metaverse. He has further opined that Metaverse today brings across new distinctive legal challenges. Metaverse law as a subdiscipline of cyber law is going to be evolving very rapidly in the next few years, said cyber law expert and senior Supreme Court Advocate Pavan Duggal. To a large extent, Metaverse laws will be based on the foundations of cyber laws. He further opined that regulating cyber security would require dedicated legal frameworks. But more significantly, we will quickly start realizing new manifestations and new orientations of the legal jurisprudence coming forward, Duggal explained.

Duggal also highlighted the issues pertaining to increased data usage on Metaverse. He stated that youngsters need to realise that behind the sexy glee of Metaverse lies the hunger of Metaverse stakeholders for your data, and therefore there is going to be huge impact on your privacy, he says.

Pavan Duggal addressed, on Metaverse legalities, the First International Conference On Metaverse And Law – Opportunities & Challenges, organized on 24 March 2022 by Metaverse Law Nucleus & Pavan Duggal Associates, Advocates and also the Second International Conference On Metaverse And Law – Opportunities & Challenges, organized on 4th May, 2023 by Metaverse Law Nucleus & Pavan Duggal Associates, Advocates.

The book entitled “[The Metaverse Law](#)” authored by Duggal has been featured in the category of [9 Best Metaverse eBooks of All Time](#), by Book Authority, being the world's leading site for book recommendations by thought leaders.

## ❖ Enabling Regulation of Crypto Ecosystem

Duggal has been advocating a minimal enabling regulatory framework for crypto ecosystem. He has highlighted that India needs to specifically focus on the legal and policy frameworks pertaining to crypto- assets and cryptocurrencies. He believes that banning crypto-assets and cryptocurrencies is not a legal and pragmatic option. This is because crypto-assets and cryptocurrencies are global paradigms and by banning them in India they cannot be wished away. He has argued that some foundations from Indian cyberlaw could be made as foundational building blocks for the further subsequent minimal enabling regulation of Blockchain.

Pavan has opined that if Indians have invested over Rs 6 lakh crore in the crypto ecosystem and there is absence of legal clarity, it is very much possible that a large number of people could lose huge chunks of money. The quicker India as a nation wakes up from its deep slumber and starts addressing the crypto ecosystem, the better it will be. He has pointed out that RBI and government will need to come up with the appropriate mechanisms to disseminate more information about the national digital currency and make it safe from potential cyber-attacks and from potential cybercriminal activities.

Pavan has pointed out numerous legal policy and regulatory issues concerning Bitcoins including their legalities and the difficulties in enforcing them in the legal jurisdiction, apart from challenges pertaining to the choices of jurisdictions in the event of dispute pertaining to payments made by Bitcoins.

#### ❖ **Pavan's vision of New Cyber World Order**

As a visionary thinker and eminent cyber jurist, Pavan has argued in his book “New Cyber World Order Post Covid-19”, that the world is inching towards new cyberspace by the time it is victorious in its fight against the current and other subsequent waves of coronavirus infections. This New Cyber World Order will be an ecosystem where nation states will become more powerful and where there will be an increasing interference in the enjoyment of digital liberties and rights of the citizens.

Dr. Pavan Duggal has highlighted the significance of New Cyber World Order after the Covid-19 pandemic.

#### ❖ **Address to United Nations for Incorporating Elements in the proposed Comprehensive International Convention**

Duggal spoke at the (18th meeting) First session of United Nations Ad Hoc Committee to Elaborate a Comprehensive International Convention on Countering the Use of Information and Communications Technologies for Criminal Purposes, on the elements and inputs that need to be incorporated in the proposed International Convention to prevent the misuse of Information & Communication Technologies for criminal purposes. During his address, Pavan talked about the need for highlighting the issues pertaining to cyber security since cyber security, Cyberlaw and cybercrime are three connected sisters. He underlined the need for preventing misuse of Information & Communication Technologies networks for criminal purposes in the data economy as becoming the top most priority for governments. He emphasized the need for addressing darknet related issues as also issues pertaining to misuse of emerging technologies like Artificial Intelligence, Blockchain and Internet of Things. He further argued the need for the proposed Convention to address misuse of emerging technologies like Quantum Computing and Metaverse. (from 01:11:10 to 01:21:10)

#### ❖ **First Intersessional Consultation of the Ad Hoc Committee**

Duggal was invited to be a Speaker-cum-Panelist at the First Intersessional Consultation of the Ad Hoc Committee, held from 24–25 March 2022 at Vienna. The Ad Hoc Committee has been established to elaborate a Comprehensive International Convention on Countering the Use of Information and Communications Technologies for Criminal Purposes.

During his address for more than 30 minutes, Pavan elaborated on the broad structural parameters and architecture of the proposed international Convention to regulate the misuse of Information and Communications Technologies for criminal purposes. Pavan also highlighted essential elements and key thrust areas that need to be made integral component of the proposed Convention.

#### ❖ **Association with the United Nations and its Organizations**

##### **International Court of Justice (ICJ)**

In association with International Telecommunications Union, Duggal has conducted two Training cum Sensitization Programmes for the elected Judges and Officers of the International Court of Justice (ICJ) at The Hague, Netherlands in May, 2019.

### **United Nations Office on Drugs and Crime (UNODC)'s Education for Justice (E4J) initiative**

Duggal was part of the International Expert Panel which reviewed different Cybercrime Modules for United Nations Office on Drugs and Crime (UNODC)'s Education for Justice (E4J) initiative.[46]

### **UNESCO Quebec Conference**

Pavan Duggal was invited to address UNESCO Conference on Cyber Radicalization held on 30th October – 1st November, 2016 at Quebec, Canada. Pavan Duggal spoke about the need for international legal frameworks to deal with cyber radicalization. He highlighted the need for adopting strong counter narratives, and for coming up with robust national legislative approaches to deal with cyber radicalization in effective manner.

### **❖ Signatory of Oxford statements**

Duggal has been associated with The Oxford Process on International Law Protections in Cyberspace. He is the signatory of various statements which are issued by the Oxford Institute of Ethics, Law & Armed Conflicts. Duggal is a signatory to the Oxford Statement on the International Law Protections Against Cyber Operations Targeting the Health Care Sector, the Oxford Statement on International Law Protections Against Foreign Electoral Interference Through Digital Means, and the Oxford Statement on International Law Protections in Cyberspace: The Regulation of Information Operations and Activities.

He is also a Signatory to Oxford Statement on International Law Protections in Cyberspace: The Regulation of Ransomware Operations.

### **Contribution to Round Table on Cyberlaw, Cybercrime & Cybersecurity**

The Round Table on Cyberlaw, Cybercrime & Cybersecurity aims to examine the current developments in the area of Cyberlaw, Cybercrime & Cybersecurity as well as connected legal and policy issues during the Coronavirus times.

Dr. Pavan Duggal elaborated and introduced broad trends evolving around Cyberlaw, Cybercrime and Cybersecurity at the Round Table on Cyberlaw, Cybercrime & Cybersecurity, being Thematic Workshop No. 315 organized by Cyberlaws.Net and Pavan Duggal Associates, Advocates under the aegis of International Conference on Cyberlaw, Cybercrime & Cybersecurity, at ITU WSIS Forum 2022. Dr. Pavan Duggal had moderated the said Thematic Workshop. At the said Round Table on Cyberlaw, Cybercrime & Cybersecurity, Pavan highlighted the broad developments at the international level of Cyberlaw, Cybercrime and Cybersecurity. He further pointed out about the increasing relevance of cyber security.

Pavan Duggal further stated that however, in this data economy, there are increasing numbers of cyber- attacks globally: from data leaks to ransomware attacks on everything from social media to



power systems to airlines. In fact, Dr Duggal noted, every 11 seconds a company falls victim to a ransomware attack. We're in the golden age of cybercrimes, he continued, and the impact is tangible. 6 trillion US Dollars have been lost to cybercrime already, and another 8 trillion dollars are expected to be lost due to these attacks.

With the current lack of international legislation, it is extremely hard to prosecute cyber-criminals. While electronic evidence has become a crucial tool for governments, law enforcement and the judiciary in investigating cybercrime, the growth of the Darknet makes it even easier to access identity-hiding technology.

#### ❖ **Contribution To Cyber Capacity Building On Cyber Frauds Legalities**

Dr. Pavan Duggal has been working in enhancing capacity building on the legalities concerning cyber fraud. Dr Pavan Duggal, Advocate, Supreme Court of India, and a pioneer name in the country's cyber security law campaigns, told journalists at the Zee Media group that everyone has the right to have unlawful access to their data deleted from the digital domain. He was referring to old films and images that have surfaced on the internet after years in a targeted attempt to ruin one's image.... Duggal stated that if a person is a victim of online abuse or fraud, they should not remain silent because speaking up might be advantageous in the long run.

#### ❖ **Highlighting the Need for Cyber Capacity Building**

Duggal has repeatedly highlighted the need for enhancing capacity building. He has stated that “We are sitting ducks for the cybercriminals and it is time for us to strengthen our defences and enhance our awareness. We have already created an online platform offering various courses on cyberlaw, cybercrime and cybersecurity. Speaking about the numbers more than 27,000 students have done the courses from over 52 countries speaking 15 different languages over 3 years. These figures are telling us that there is a need for awareness training,” says Duggal.

He has highlighted the need for corporate stakeholders to contribute in cyber skills. “Companies have to do far more capacity building among their employees while working from home in these transient times,” says Duggal.

#### ❖ **Views on Golden Age of Cybercrime**

Duggal has further highlighted the massive increase of cybercrime. As per Dr. Duggal, “with the pandemic’s onset, we also see the advent golden age of cybercrime and this golden age is going to last for a few decades. Its beginning has been characterised by the three top-most cybercrimes across the world. They are phishing, identity theft and online financial fraud. It has become so common because it is easy to phish people. During the Covid-19 it was even easier as primarily there was a fear and panic among people. So many people were fearful or panicking and ended up clicking the wrong link, believing the wrong voices and becoming victims of the attacks. Phishing has emerged as one of the top-most cybercrimes in the world and since there is an increase in the capacity building of such criminals we will witness more and more phishing in future.”

As per Media India Group, Pavan Duggal, an advocate of the Supreme Court of India specialising in cyberlaw has had long experience of dealing with people who have been victims of cybercrime. As

per Pavan Duggal, “With the coming of Covid-19, it’s cybercrime everywhere with nowhere to run. The golden age of cybercrime has raised the global cost of cybercrimes including these cyberattacks. Users have to now wake up to the new cyber age. Users have to now be careful and should not be part of the vomiting group, i.e., they are vomiting all kinds of sensitive data whether it be personal, professional or social information unnecessarily. They only need to share the information on a need-to-know basis and be duly diligent. They must learn to inculcate elements of distrust and mistrust. Only by conscious effort, due diligence and caution you can prevent yourself from becoming a victim.

#### ❖ **Views on Right To Be Forgotten**

Dr. Pavan Duggal has underlined the need for everyone today to have Right To Be Forgotten digitally. In a conversation with journalists at the Zee Media group, Dr Pavan Duggal, Advocate, Supreme Court of India, and a pioneer name in country’s cyber security law campaigns, said that everybody has the right to get unauthorised access to their data removed from the digital space. He was speaking in the context of old videos and photos surfacing on the internet after years in a targeted bid to tarnish image. Dr. Duggal has also highlighted the need for India to have dedicated legal approach. “In India, we do not have a concept of the right to be Forgotten. It’s a very Western concept,” said Pavan Duggal, a cyberlaw expert and Supreme Court advocate.

According to Dr Duggal, “I believe under the Indian Constitution, we have the fundamental right to life under Article 21. I believe that fundamental right needs to be interpreted in very broad terms not only to have include therein access to the internet but also the Right To Be Forgotten on the internet.”

He has stated that “Still, intermediaries like search engines and Internet services providers, under the country’s IT Act and IT Rules, have the obligation to exercise due diligence if an aggrieved party sends them a written notice.”

#### ❖ **Views on Pegasus Controversy**

In the context of Pegasus controversy, Duggal has warned digital stakeholders that this episode needs to be a wakeup call for all digital ecosystem stakeholders to come out from their deep slumber and to come up with more updated and appropriate strategies to deal with the constant challenges thrown up by the surveillance technologies and increasing cyber security breaches.

In this context, he also warned digital stakeholders not to depend upon the state to protect privacy. He further indicated that most of the time, we ourselves become the weakest link in the cyber security chain by disclosing things. Already India is seeing the great Indian vomiting revolution, where Indians are vomiting all kinds of personal, professional, social information about their day-to-day lives on to the internet.

In the context of Pegasus, it is the time to rethink Indian Cyberlaw.

#### ❖ **Views On Amending Indian Cyberlaw For Topicality**

Dr. Pavan Duggal has further highlighted that India must revisit the Information Technology Act, 2000 to have dedicated cybercrime courts in the country.

Cyber law expert Pavan Duggal recommended that India needs dedicated legal provisions for protecting women in cyberspace, and data related to women needs to be specifically protected. “I proposed amendments to the IT Act, suggested special protection of women data in the Personal Data Protection Bill and bringing in a new cyber security law,” Duggal said. “The current provisions of the IT Act are not adequate.

#### ❖ **Views on Safeguarding Indian Digital Ecosystem**

Pavan has been underlining the need for India to take effective action to safeguard the Indian digital ecosystem. He has pointed out that India has an immense policy vacuum as it doesn't have a dedicated law on cyber security, for data protection nor a dedicated law for privacy. So in the absence of punitive legislation, India becomes a very fertile ground for hackers. Commenting on The Election Laws (Amendment) Bill, 2021, he has opined that “Cyber attacks and security breaches in India have increased massively, and these are often not recorded. If the government wants to join Aadhaar with voter ID, they are doing it without any reference to the cyber security methodologies, process, and procedure in the process of making this linking exercise more secure.”

#### ❖ **Opinions on Indian Aadhaar Law**

In the context of the passing of the law concerning India's national biometric identity being Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016. Pavan Duggal has opined that there is a need to expand Aadhaar only after 'national security' is defined. He has stated that the term "national security" has not been defined, thus making the aforesaid provision open to a wide interpretation. In the absence of a definition, any and every circumstance could be brought under the purview of national security. The law needs to put in place crystal-clear parameters as to what constitutes national security, when it talks of sharing of personally data with third parties.

In the Context of India's Aadhaar Law and Cyber Security, Pavan Duggal has opined that issues pertaining to cyber security of Aadhaar ecosystem need to be very well examined and analyzed. He has opined that the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 not only symbolizes the biometric identity of individuals, but it also symbolizes biometric and demographic face of the biggest democracy in the world.

He has argued that with the Government of India making Aadhaar mandatory, there is a need for revisiting and amending the Aadhaar law so as to address the cyber security and other concerns of the Aadhaar ecosystem. He has further highlighted that currently, privacy protection in Aadhaar is not strong in India.

#### ❖ **Role as Amicus Curiae**

Pavan Duggal was appointed as Amicus Curiae in the landmark case of X vs. Union of India, W.P. (Crl) No. 1082/2020 by Delhi High Court.

For examining the statutory landscape, the technological limitations and the reality, the Court appointed Dr Pavan Duggal, Advocate, specialising in cyber law and cyber crime, as Amicus Curiae, as also to assist the Court in addressing issues involved in the said petition.

The judgment also contains the submissions of Mr Pavan Duggal the noted Cyber Law expert where a good summary of the applicable law is available. Given the international experience of Mr Pavan Duggal who was the Amicus Curiae in the hearing, the judgement will be a very useful reference document for all students of Cyber Law.

The said judgment has been lauded from the perspective of Cyberlaw jurisprudence. In the said matter, Pavan Duggal assisted the Court in such an admirable manner that the Court was pleased to note in para 96 of the judgment dated 20/4/2021 that “this court records its deep appreciation for the invaluable assistance rendered in the matter by the learned Amicus Curiae Dr. Pavan Duggal.”

#### ❖ **Others**

He has commented that the Government's move to amend the Indian Information Technology Act, 2000 is not enough. He has opined that by making the Superintendent of Police or an officer above to register cases under Section 66A of the Information Technology Act 2000 is like fixing a leaking roof with bandaid.

Pavan has described the judgment of Justice K S Puttaswamy (Retd.), And Anr. v/s Union of India pertaining to right to privacy as the historic judgment and having tremendous impact. He has pointed out that the said judgment is only applicable to the state and all instrumentality of the state as fundamental rights are only enforceable applicable against state action under the Indian Constitution.

#### ❖ **Books and Recognition**

Dr. Duggal is a regular on the lecture circuit. He has spoken at over 3000 Conferences, Seminars and Workshops in the last two decades, and has lectured extensively in select Law Colleges. As a Writer, he has made his mark with 199 Books on various aspects of the law in the last 20 years. Dr. Pavan Duggal's books have been conferred various awards by Book Authority in various categories over a couple of years.

He has written several books/eBooks on various diverse and complex aspects concerning the legalities of policy related issues impacting cyberspace, Internet and the World Wide Web. He has authored India's first mobile law treatise, which focuses on litigation and jurisprudence vis-à-vis mobile communication devices.

The vast and diverse range of Pavan Duggal's books include Books on Cyber Law, Cybercrime Law, Cyber Security Law, Artificial Intelligence Law, Blockchain Law, Internet of Things Law, Other Emerging Technologies and Legalities and on Coronavirus & Cyber Legal Issues.

The World Summit on the Information Society gives details of numerous books authored by Dr. Pavan Duggal on the website of the International Telecommunications Union.

Dr. Pavan Duggal's books have been conferred various awards by Book Authority in various categories over a couple of years. Pavan Duggal's numerous books have been recognized by BookAuthority, the world's leading site of books recommendations by thought leaders.

Numerous Book Authority's Awards have been conferred To Duggal's Books.

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In addition, he has been conferred with various [awards](#) including “[Ordre du Merite de Budapest](#)”, [Council of Europe Economic Crime Division, November 2011, Strasbourg](#) and Bharat Nirman Award, 2023. He had contributed a continuing weekly column on diverse aspects of the law, titled ‘[Brief Cases](#)’ to the [Economic Times](#), for almost a decade.

More about Dr. Pavan Duggal is available at <https://www.pavanduggal.com/> and <https://www.linkedin.com/in/pavanduggal>.