



TECHNOLOGY, LAW AND ETHICS

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Abstract:

The article mentions how technology can help people in many areas, such as in entrepreneurship, law, medical, agriculture, and education. In the field of law specifically, technology can be used for various purposes such as for legal matter findings, lawful advice, lawful conscripting, lawful mechanisation, covenant analysis, information operation, legal enterprise development, fair thorough review, M&A due diligence, medium supervision, tracing beyond lawyer expend, automated proof operation and lawful propaganda which helps lawyers and firms to produce the desired output with efficiency, less human labour and with less scope of errors. Certain instances of electronic havoc, meanwhile covid 19 have also been mentioned in the article, when the entire world was connecting online, such as not involving women, in curative findings on female's wellness which lead to lack of useful facts and information on female's wellness, an AI tool which detects the probability of a person to commit offence on the basis of colourism etc. Recently during the Indo - Singapore judicial conference had occurred which discussed the relevance of using technology in the legal study and judicial system with morality, the conference also highlighted how Singapore International Commercial Court is utilising the technology for resolving cross border business disputes, In India the introduction of E- Courts, Live quotation benevolences and Supreme Court Vidhik Anuvaad Software has completely changed the facet of the Indian judicial system. The ethics and laws go hand in hand, for safeguarding human rights and to maintain a respectable environment, the law establishes standard of behaviour that all individuals adheres to, there are situations when an individual has to do an act which is ethically incorrect but is correct lawfully to which some philosophers have criticised as a person should not do an act which is not setting up a good example in the society at large. The National Strategy for Artificial Intelligence had put emphasis on using AI for resolving communal issues and to benefit citizens at large which is evident through instances such as use of cctv cameras at prayagraj kumbh mela for detecting that the mass does not go beyond its limit, Wadhvani AI, an AI potential device will help the doctors to detect less birthing heaviness of infants, business venture named NIRAMAI has evolved a premature level of breast cancer diagnosis apparatus, which is a AI based tool, the IIT Madras experimenters are seeming to utilise AI to forecast possibility of new mothers leaving the medicare initiatives, to better aimed interference and to expand practical medicare results for new mother and babies. Laws pertaining to technology such as the Information Technology Act of 2000, Indian Contract Act of 1872, Aadhaar Act of 2016, Geospatial Regulation Bill of 2016, Personal Data Protection Bill of 2019, and Information Technology Rules of 2021, are among the current laws and bills in our nation that are covered in the article. These legislation and laws prohibit technology-related crimes, including cyberterrorism and cybercrimes, and they impose fines for infractions; few instances of ethical use of technology are also mentioned. In order to prevent problems like privacy invasions, data security breaches, and cybercrimes, professional organisations and regulatory authorities are required to set and adhere to rules and regulations. To guarantee innovation and update legislation in line with technological changes, legal professionals should collaborate with technology specialists. This article basically aims to clarify the relationships and requirements between technology, law, and ethics in the contemporary world.

Keywords: Technology, Law, Ethics, Artificial Intelligence, Offences, Advancements, Behaviour

Introduction:

Given how prevalent technology is now in many facets of a nation's economy, it plays a significant part in its development and progress. The development of technology can be both a boon and a bane because, while it allows for easier and error-free work, it also brings about problems like cybercrimes. Any department or organisation must use the technology in a morally and legally responsible manner because failure to do so might result in fines under several Indian Acts. The advantages and goals of adopting AI, as well as the connections between technology, ethics, and legislation have been mentioned in the Article.

How technology is used in the legal field:

The law is essential to provide the victim with justice. The judicial system in our country ensures that the victim is given justice through fair and lawful processes. The judge always takes into account all pertinent facts and circumstances in addition to the applicable laws to make sure that the final decision is morally and ethically sound and serves as a constructive model for society at large. Since artificial intelligence has taken over the world in many ways, the legal sector uses technology for a number of purposes, including:

Legal matter findings: Legal matter findings are an important part of lawful jobs, irrespective of standard of proficiency as a lawyer or barrister. The incredibly relevant matters: law testing equipment, oversimplifies issues for fast and correct output and gives a systematic, facile-to-observe process to sink into the topics and link associated matters.

Lawful advice: The Practical Law is availing lawful advice for years, with subjects evolved by lawyers who are expertise in their convention arenas. Lawyers depend on it to aid them to get initiated on the latest cases and latest arenas of law. Toolbox brings an assemblage of Practical

Law sources at a location. The Practical Law guides are inherent with preparing comments and article by article advice. Catalogue provides an outline of a work or assignment with piecemeal clarifications. Parity tables reduce wastage of time while operating on problems around various states. Convention comments with precise clarification of difficult problems.

Lawful conscripting: conscripting technology reduces the probability of mistakes and lessons lawful paperwork formation duration. Barristers or lawyers utilise AI conscripting equipment which aids them search initial junctures in conscripting methods, speedily finding modifications and effectively perfecting paperwork. By the help of productive artificial intelligence, barristers or lawyers enhance efficiency and enable them to make, structure, and analyse the paperwork for the customer or for the judicial system in less duration.

Conscripting mechanisation: Conscripting mechanisation is background the setting equipment saviour barristers or lawyers utilise on reality programmes to shift speedily. By certain clicks, it converts tiring conscripting formation very swiftly, making conscript deals and treaties without much effort barristers or lawyers that utilise self-conscripting mechanisation as portion of the fortress puts end to slavery of re-forming the similar ordinary treaty frequently and cherish the ongoing moment of a lawful job is the tale of productivity and strength.

Covenant analysis : Using AI for covenant analysis is just like an automated janitor. Even if it is an indemnity conclusion, sundown proviso or debit matters, AI has the calibre to detect useful lawful and venture information from various pieces of information contemporaneously. It gets the output in a few seconds. It finds with the help of relevant terms and also by scrutinising the significance,

purpose, and subject of lawful topics and expression designs.

Information operation: Expertise operation equipment can be said as an expressway enhancement for the company's paper operation mode. The mode avails correct and extensive output to lawful conundrums in less duration. Papers are spontaneously graded, and all appliers visually can know when the matter method of every paper is- whoever analysed it, whoever published it, had finally signed it and suchlike. The equipment is generally united with an entourage of diverse productions, it ables appliers to get various records with unpaired issues.

Legal enterprise development: Lot of enactments aids a legal enterprise to be able to function its exercise with extreme efficiency. Lawful venture administration and responsible equipment improves groups collectively with availability to a large expectancy of lawful data and venture information. Venture upliftment equipment makes barristers or lawyers capable of availing supreme customer proficiency through abridged exchange of information and pleads for all the lawful requirements with the help of a simple, protectable and custom-made automated doorway.

Fair thorough review: Lawful fair thorough review previously denoted less experienced barristers or lawyers expend their unpreparedness at the workplace screening via containers of bureaucracy. Through fair thorough review equipment, they can organise persistence without any paper in the workspace, enabling online mode for reaching to a crowd of databank, if it's company documents, FEIN numeral, or schedule. AI-generated methods smoothly scrutinise the data, getting all applicable data and showcasing the observations in an simply acceptable structure.

M&A due diligence: The diligence process is entirely self-operated by M&A due diligence technology, which handles everything from

document transfers to examining and separating all pertinent data to creating charts and briefs. When a lawyer or barrister needs to locate vendor documents for restrictive covenant jobholder concurrence, for example, M&A due diligence technology enables vendors to do so with remarkable speed and precision.

Medium supervision: abridged actions supervision to attain cost cutting. By utilising AI, law offices can form a **concentrated means for legalised medium** nitty gritty around the medium entire journey. Self- Operates analysis and acceptance of bills, fastens the productivity inspecting equipment to enhance efficiency and lessens inaccuracy. Law offices can understand their applicant's estimates and standardise the estimates alongside their self simultaneous statistics.

Tracing beyond lawyer expend: A method to slit beyond lawyer expenditure is having multiple precise ways of weighing the money spent. Disburse operations equipment permits the company to point out means to attain frugality- such as, providing fiend vaguely calculates what competitors do for other lawyers, and relating the expense with others. The usage of self- operating bills, flow of work and inspecting equipment which then lessens lawyer expend.

Automated proof operations: matter operations productivity can be enhanced through usage equipment to arrange and partake proofs with all relevant disputed groups to the matter. The techniques make the barristers or lawyers assess court transcriptions, study, and papers initiated in finding, then form a depictive time table to assess all applicable proof. Distantly situated barristers or lawyers can supervene current outlook and analyse/interpret data with workmates in actual time.

Lawful propaganda: Legal companies have the desire to be mentioned in the lawful instructions which continuously make their place at the top in exploring output. The probability of forming

the high ranking company is to combine Lawful propaganda devices which are created for the company, from creating internet sites to maintaining accurate utilisation of SEO to attain regional seller's market upgradation. Increasing the steers with the pay-per-click (PPC) advertisements to situate the company's piece of information ahead of plausible customers.¹⁴⁹⁷

Humans have always benefited from technology in a number of areas, some of which are included below.

Status and Significance of technology in India:

Technology has improved many aspects of the Indian economy and given young people more employment opportunities. The start of the green revolution in our nation has altered the agricultural sector as farmers learn about new techniques; telemedicine has been introduced, improving health care methods and raising the standard of healthcare services; science and technology have also helped established prestigious Indian institutes like the Indian Institute of Technology and the Indian Institute of Science Education and Research by allowing their students to use modern technology in their studies education that turns them into highly skilled scientists and engineers who are in high demand both inside and outside of India and who often land high-paying jobs; technology that links India with other countries for cooperative research projects that benefit both countries by advancing science worldwide; technology that supports the growth and development of numerous startups by helping them to come up with novel ideas that will draw in investors and help the business expand, creating more job opportunities.¹⁴⁹⁸ Few instances of electronic havoc except norms meanwhile coronavirus when the entire world was connecting through electronic mode are as follows:

- a) Not involving women, in curative findings on female's wellness which leads to lack of useful facts and information on female's wellness. For example: a misconception that heart attack can only occur in males and not in females.
- b) An analysis of AI tools which authorities use to find out the probability of a person to commit an offence to which algorithms found varied results based on colourism in the same circumstances this output led to disapproval and mistrust in prophetic management.
- c) The company named Amazon, discarded the AI recruit schedules due to its discrimination alongside females.¹⁴⁹⁹

Recently focusing on the convergence of device and legalised order, a 2 days Indo- Singapore judicial conference was conducted by The Hon'ble Supreme Court of India, the Chief Justice of India DY Chandrachud had put importance on the relevant part of technology specifically Artificial Intelligence in enhancing legal study and judicial system while putting emphasis on the importance of moral reflections in its amalgamation. India and Singapore not only have in- depth historical bonds but also an allegiance for upholding constitutional state and primacy of law, promoting availability of objectivity. Since both are emerging nations, they are fully aware of how powerful technology may be used to update their own legal systems. The CJI also praised Singapore's use of technology in the legal field, including electronic filing systems and online dispute settlement platforms. Furthermore, the Singapore International Commercial Court provides cost-effective and efficient solutions for resolving cross-border business disputes and permits technology to be used in international conflict resolution. Through initiatives like the E- Courts project, India has likewise used technology to transform the legal system. To make legal data easily accessible,

¹⁴⁹⁷ Chris O' Leary, "Legal Technology's Authoritative Guide on Use Cases and Benefits" *Thomson Reuters* (2024).

¹⁴⁹⁸ Piyush, "Science and Technology in India, Progress, Achievements, and Concerns" *Study Iq* (2023).

¹⁴⁹⁹ Kate Gromova & Yaroslav Eferin, "Ethics in the Digital World: Where We are Now and What's Next" *World Bank Blogs* (2021).

the Supreme Court of India established Live Quotation Benevolences, which translates court proceedings into 18 regional dialects. Artificial intelligence will make the legal information quickly accessible. Artificial intelligence which is named as Supreme Court Vidhik Anuvaad Software. It lowers impedes and stockpiles in the judicial orders and gives integrity simply. The incorporation of AI in contemporary methods furthermore the legal complaints elevates difficult, social, lawful, and logical reflections that involve in- depth exploration. It is time to encircle the advancements of electronic devices and find the utilisation of electronic devices in the legal domain to the fullest.¹⁵⁰⁰

Why Ethics and Laws are equally important for a nation?

The question of what I should do is answered by ethics. Every human considers whether their actions align with their values, principles, and long-term goals, as well as whether they will ultimately benefit everyone when they do an act. Ethics also enlightens people about other options that may be used in order to achieve the intended outcome. To safeguard human rights and maintain a respectable environment, the law establishes a standard of behaviour that everyone must adhere to. The law and ethics are said to be similar until all obligations are met; at that point, an individual is considered ethical. However, there have been situations in which an individual has to violate ethics and carry out legally sanctioned work, to which some philosophers have shown greater disregard because an individual's conscience should be guided to carry out any work in accordance with ethics rather than mindlessly adhering to the law if it does not benefit society as a whole.¹⁵⁰¹

¹⁵⁰⁰ Ani, "Chief Justice of India DY Chandrachud Advocate's for Ethical AI Integration in Legal Research", *Times of India*, Apr. 13, 2024, available at: <https://timesofindia.indiatimes.com/technology/tech-news/chief-justice-of-india-dy-chandrachud-advocates-for-ethical-ai-integration-in-legal-research/articleshow/109265942.cms> (last visited on Oct. 16, 2024).

¹⁵⁰¹ "Ethics Explainer: Ethics, Morality & Law" *The Ethics Centre* (2016).

Role of National Strategy for Artificial Intelligence (NSAI) for bringing Artificial Intelligence to Light:

NSAI produced artificial intelligence into focus of the restyling schedule of the administration by putting emphasis on enhancing the sections for instance medicare, cultivation, tutoring. Purpose of artificial intelligence enables the transmission of unique privileges for instance accuracy of cultivation consultation, means to administration well - being privileges for instance local dialect chatbots and voice combines, which provides access to administration interference in these sections. National Strategy for Artificial Intelligence highlights the want for a sturdy environment for resolving communal issues and allows our nation to address the problems widely. Artificial intelligence is expected to get established and radically mixed with nation as it attends various sectors of our economy, such as in Prayagraj Kumbh Mela of Lucknow in 2019, 1,100 CCTV cameras were fixed which had upraised vigilance when the mass got beyond its limit, Wadhvani AI, an AI potential device will help the doctors to detect less birthing heaviness of infants except any unique apparatus. Business venture named NIRAMAI has evolved a premature level of breast cancer diagnosis apparatus, which is a AI based tool, the IIT Madras experimenters are seeming to utilise AI to forecast possibility of new mothers leaving the medicare initiatives, to better aimed interference and to expand practical medicare results for new mother and babies.¹⁵⁰²

Indian laws pertaining to technology:

1. The 1872 Indian Contract Act: A contract is a legally binding agreement that imposes responsibilities and grants personal rights that the law upholds and defends against the parties. The parties legal rights and obligations are only applicable while the agreement is in effect; in the event that the other party is

¹⁵⁰² Government of India, "The Need for Responsible AI" 15-16 (Ministry of Planning, 2021)

at fault, the party may exercise its rights and obligations. E-commerce, or the purchasing and selling of products and services online, is what gave rise to e-contracts. Even though the Information Technology Act made e-contracts legal, some people still view them suspiciously due to their unclear terms and conditions and the jurisdiction that will be used if there is a dispute between the parties.¹⁵⁰³

2. The Information Technology Act of 2000: The Information Technology Act of 2000 is the primary law governing the use of technology in India. The Act recognizes e-transactions and e-governance in India. The Act recognizes electronic records, electronic signatures, and digital signatures. Cyberterrorism, cyberstalking, and other related offences are punishable under this Act.
3. Aadhaar Act, 2016: The Aadhaar card is a 12-digit unique identification number that enables government organisations to use Aadhaar to obtain information about the recipients of various welfare schemes. The Aadhaar Act came into effect in 2016. The usage of the Aadhaar card is limited to specific services by the Honourable Supreme Court of India due to privacy violations.
4. Geospatial Information Regulation Bill, 2016: The bill governs the gathering, sharing, publishing, and distribution of geographic data belonging to people and organisations for which a government licence is required in order to gather, share, or publish the data. The utilisation of geographic information in a variety of industries and the resulting effects have been criticised in relation to the law. Penalties are also imposed by

the measure for breaking any of its requirements.

5. Personal Data Protection Bill, 2019: The measure aims to safeguard people's privacy by controlling the gathering, utilising, storing, and sharing of personal information. Additionally, it creates a data protection authority to supervise the Act's execution. The bill grants people the right to data portability, the right to have their personal data erased, and the right to knowledge about how their data is processed. The definition of personal data in the bill and the exclusion of government institutions from its requirements have drawn criticism from stakeholders. The measure establishes penalties for violating its provisions.
6. Information Technology Rules, 2021: These rules, which include the nomination of several officers, are followed by messaging apps, social media intermediaries, and other online platforms. Furthermore, it requires the intermediaries to remove particular content 24 hours after receiving a court or government order. A three-level regulatory system is established by the regulations. Online content providers self-regulate in the first layer, while a self-regulatory committee headed by a retired Supreme Court or High Court judge supervises the second tier. The third level is overseen by the Ministry of Information and Broadcasting.¹⁵⁰⁴

Renowned cases when technology was misused:

1. Shreya Singhal v/s Union of India¹⁵⁰⁵: The legitimacy of Section 66 A of the Information Technology Act, 2000—which penalises sending offensive messages via communication services,

¹⁵⁰³ "Contract Laws in India" *Legal Service India* (n.d.).

¹⁵⁰⁴ I'm Kishan Pandey, "Technology Laws in India : Impact and Loopholes" *Legal Service India*.

¹⁵⁰⁵ AIR 2015 SC 1523

etc., and carries a maximum sentence of three years in prison and a fine¹⁵⁰⁶—was contested in this case. Following their arrest, two women filed a petition contesting the constitutionality of Section 66A of the IT Act, 2000, arguing that it violates their right to free speech and expression. The arrest occurred after the women posted an offensive comment on social media about the complete shutdown of Mumbai state due to the death of a politician. The Hon'ble Supreme Court ruled that Section 66A of the IT Act, 2000 has the potential to restrict all forms of communication. The Court noted that there is no distinction between advocating for or discussing a particular cause—which may be considered offensive to some—and inciting action through such words that could lead to a connection with public disorder, security issues, health concerns, and so forth.

2. *Shanker v/s State Rep*¹⁵⁰⁷: In order to have the charge sheet against him dismissed, the petitioner went to court under Section 482 of the Code of Criminal Procedure, 1973, which states that nothing in this code shall be deemed to limit or effect the High Court's inherent powers to make such orders as may be necessary to give effect to any order under this code, to prevent abuse of any court's process, or to secure the ends of justice in any other way.¹⁵⁰⁸ The petitioner gained unauthorised access to the Directorate of Vigilance and Anti-Corruption (DVAC) legal advisor's protected system. The court determined that the charge sheet could not be revoked in light of the law pertaining to the non-grant of prosecution sanction under Section 72 of the IT Act, 2000, which states that a violation of

confidentiality and privacy carries a maximum sentence of two years in prison, a maximum fine of one lakh rupees, or both.¹⁵⁰⁹

3. *Shamsher Singh Verma v/s State of Haryana*¹⁵¹⁰: After the High Court denied the accused's request to show the compact disc that was filed in defence and have it verified by a forensic science lab, the accused filed an appeal with the Supreme Court. The Supreme Court ruled that a compact disk also qualifies as a document. It further noted that getting the admission or denial regarding a document from the accused, the complainant, or the witness directly is not required under Section 294(1) of the Crpc 1973, which states that when a document is filed before a court by the prosecution or the accused, the details of each document are listed and the prosecution or the accused, as the case may be, or the pleader for the prosecution or the accused, if any, is called upon to admit or deny the genuineness of each such document.¹⁵¹¹
4. *State of Tamil Nadu v. Suhas Katti*¹⁵¹²: The accused, a family friend of the victim, desired to wed her. She did, however, get divorced after marrying another man. In violation of Section 67 of the IT Act, 2000, which stipulates that a person is punished for publishing or transmitting pornographic material in electronic form, the accused harassed the victim by using a fake email address and posting offensive and defamatory information about her. If he is found guilty for the first time, he will be punished with a maximum sentence of three years in prison and a fine of five lakh rupees. If he is found guilty in a second or subsequent time,

¹⁵⁰⁶ Information Technology Act, 2000 (Act 21 of 2000), s. Section 66 A

¹⁵⁰⁷ Cr. O.P No. 6628 of 2010

¹⁵⁰⁸ Code of Criminal Procedure Code (Act 2 of 1974), s. Section 482

¹⁵⁰⁹ Information Technology Act, 2000 (Act 21 of 2000), s. Section 72

¹⁵¹⁰ 2015 SCC OnLine SC 1242

¹⁵¹¹ Code of Criminal Procedure Code, 1973 (Act 2 of 1974), s. Section 294(1)

¹⁵¹² CC No. 4680 of 2004

then he will be punished with a maximum sentence of five years in prison and a fine of ten lakh rupees.¹⁵¹³ Additionally, Section 469 of the Indian Penal Code, 1860 states that anyone who forges a document or electronic record with the intent to harm someone's reputation, or knowing that it will be used for that purpose, faces a maximum sentence of three years. (Word, gesture, or act intended to insult a woman's modesty - Anyone who intends to insult a woman's modesty by uttering a word, making a sound, making a gesture, or displaying an object with the knowing that the woman will hear or see the word, sound, or gesture, or by intruding on her privacy, faces a maximum sentence of three years in prison and a fine).¹⁵¹⁴

Here are a few instances of ethical use of technology:

- a) Compiling and using personal data
- b) Equity and partiality in mathematics
- c) Using AI to develop a detection system for cures
- d) Driving one's own morals and their assessment
- e) Moral philosophy and biotech use
- f) Academic use of AI
- g) The impact of technology on nature
- h) The impact of social networking on technology
- i) Equity and partiality in AI
- j) Isolation, amnesty, and effective suburb technology¹⁵¹⁵

Relation of Law, Ethics and Technology:

In order to fully utilise new and cutting-edge technology in an ethical manner, legal professionals must gain a better understanding of how it functions by attending seminars and training programs. Law, ethics, and technology are all interrelated and interconnected. In order to prevent problems like privacy invasions, data security breaches, and cybercrimes, professional organisations and regulatory authorities are required to set and adhere to rules and regulations. To guarantee innovation and update legislation in line with technological changes, legal professionals should collaborate with technology specialists. This approach addresses issues like data governance and privacy protection.¹⁵¹⁶

Conclusion:

Law, Ethics and Technology are interrelated and interconnected with one another, when technology is used in any field of work it is expected from the organisation or department to use it ethically (to know what to do and what not to do) and lawfully (to abide the laws made in the country) so as to avoid cyber crimes. Since technology is used in many different sectors of the Indian economy such as in business, healthcare, education, agriculture etc to promote national progress and advancement, Technology with its advancements have also been useful in the legal field as it has reduced human labour and improved efficiency at work. Efforts to update and modify Indian legislation have been made as per the technological advancements for which the professionals of the organisation should collaborate with specialists of technology to understand how to combat issues such as data governance and privacy violation.

¹⁵¹³ Information Technology Act, 2000 (Act 21 of 2000), s. Section 67

¹⁵¹⁴ Indian Penal Code (Act 45 of 1860), s. Section 469

¹⁵¹⁵ John Spacey, "50 Examples of Technology Ethics" *Simplicable* (2023).

¹⁵¹⁶ "The Intersection of Technology and Legal Ethics : A Balancing Act" *Timespro* (2024).

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10. Section 66 A of the Information Technology Act, 2000
11. CrI. O.P No. 6628 of 2010
12. Section 482 of the Code of Criminal Procedure, 1973
13. Section 72 of the Information Technology Act, 2000
14. 2015 SCC Online SC 1242
15. Section 294(1) of the Code of Criminal Procedure, 1973
16. CC No. 4680 of 2004
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