

LAWBY WRITES

**ATTENTION
LAW STUDENTS!!**



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EDITORIAL



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Founder

Why a properly curated LinkedIn profile matters for a law student

As the days of Artificial Intelligence (AI) take hold of work profiles across the world and the hiring process slows, the law student is set to lose a lot more than just a chance at working at a place of their choosing or liking. The legal job market is showing no signs of recovery given the supply of lawyers is unusually more than the demand. Moreover, the complications of legal assessment while hiring have seen more reliance on “hiring from known circles” than through an employment portal, leading to bias.

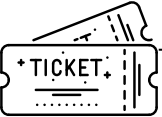
AI specifically takes out entry-level positions. India, being the demographically best placed for work in the next decade could not have anticipated the redundancy about to be brought upon by AI. Unemployed masses don't bode well for the law and order in any nation. Most employable talent is already underemployed, so that would become normal given the price rationalization AI is about to bring. AI could bring about a misleading level playing field where many employers will have a tough time to differentiate between smart employees and the ones who mimic smartness due to the usage of AI.

We recently had a hiring process for our TRACE (Talent Reserve Apprentice Capacity Enhancement) program, and the assessment tests sent in by most of the shortlisted candidates were mostly AI-written. We also had our preliminary plagiarism and AI screening, yet we went ahead with some profiles, hoping they would be a fit. It is pertinent to note that many of us have started using AI, and it cannot be avoided, but original thinking is non-negotiable. It was during the interview that we understood that most of the candidates would not have sat for interviews if AI had not intervened to help them sound smarter.

LinkedIn, being one of the most prominent professional networking spaces, is an inevitable resource for profiling and screening candidates. While most employers hire using resumes and cross-reference them with their respective LinkedIn profiles, we find many law students are not on LinkedIn or merely have ghost profiles that are inactive and merely namesake. It would be integral for every law student to curate their LinkedIn profile with research work, internship notes, blogs and write-ups on legal developments so as to give the employer the belief of potential. So what if all the writings there are made through AI? Original thinking is easy to distinguish once they talk to you. Kindly do not kid yourself.

Remember to start and curate your LinkedIn profile with the essence of original thinking on the multitude of legal genres. Please use AI, but do not make it the hero of your work. Hiring may have slowed down, but building discernable talent and consistent effort has always found great pay cheques and shall continue to do so.





LEGAL CRISPS

Can India's current laws handle the ticket scalping problem?

-Adithya Menon

Ticket scalping in India, the practice of purchasing tickets in bulk and reselling them at inflated prices, has become a significant issue in the country's entertainment and sports sectors. With the rise of digital platforms and automated bots, scalping has grown from a fringe activity to a widespread problem, with individuals and organisations quickly snatching up tickets for high-demand events like cricket matches and concerts, only to resell them at higher prices. Despite public frustration, the legal framework surrounding scalping remains unclear, making it hard for authorities to take effective action.

In India, the legality of ticket scalping remains uncertain. There is no national law explicitly prohibiting the resale of tickets, and enforcement relies on a mix of existing laws. A key legal case, **Mandeep Singh vs UT Of Chandigarh(Crl. Misc. No.M-21747 of 2011)**, determined that individuals who resell tickets they purchased for personal use are not breaking the law, as long as no deceit or inducement is involved. The court ruled that "In India, there is no legal restriction against reselling match tickets," clarifying that personal ticket resale is not an offence unless fraudulent actions are present.

While individual reselling is not prohibited, organizers and platforms involved in scalping can be held accountable under several Indian laws. The **Consumer Protection Act, 2019** forbids unfair trade practices, such as deceiving consumers or creating artificial scarcity, and platforms engaged in such activities could face legal action for manipulating prices or limiting ticket access. The **Consumer Protection (E-Commerce) Rules, 2020**, particularly **Rule 4(11)**, targets price manipulation, prohibiting e-commerce platforms from profiting unfairly through ticket resales. Some states, such as Rajasthan, have also introduced laws that specifically ban the resale of entertainment tickets for profit, signalling growing recognition of the issue at the state level.

Countries worldwide have adopted stricter regulations to combat ticket scalping, offering valuable lessons for India. The U.S. passed the **BOTS Act in 2016**, making it illegal to use bots to purchase tickets in bulk. Australia's **Fair Trading Act** limits resale prices to 10% above the original, while the **Ticket Scalping Act of 2018** penalizes bot usage and enforces price caps. In the UK, the **Consumer Rights Act 2015** requires resellers to disclose key ticket details, and the **Digital Economy Act 2017** ensures transparency in online sales. Canada's **Ticket Sales Act of 2017** banned bots and capped resale prices at 50% above face value. The need for a clear legal framework to regulate ticket scalping has become increasingly urgent. Drawing on international best practices, India could introduce laws to control secondary ticket sales, limit price hikes, and prohibit the use of bots. Without such measures, the unchecked growth of scalping risks undermining consumer trust, limiting access to events, and causing frustration among fans.





Beyond the curtain: Voyeurism and the shifting legal landscape in India

-Nithyaparvathy R G

Voyeurism is described as an intrusion into the victim's private area without his or her permission, where the victim has a reasonable expectation of privacy. It is the act of gaining pleasure, attraction and sexual satisfaction from watching others, particularly while they are undressed, naked, or performing sexual acts.

It involves placing someone in a situation where their dignity is undermined, resulting in greater harm to their mental well-being than to their physical state. This can take the form of unlawful monitoring, such as the installation of a camera in a place where one would reasonably expect privacy, or the unauthorized transmission of recordings or photos, such as the publishing of nude or semi-nude photographs online, without the victim's permission.

In ***Ajith Pillai v. State of Kerala (CRL.MC NO. 8677 OF 2024)***, the Court clarified that a "private act" as defined in Section 354C of the IPC (Section 77 of the Bharatiya Nyaya Sanhita, 2023), which pertains to voyeurism, refers to situations in which an individual has a reasonable expectation of privacy. This includes situations like exposing intimate parts, using the restroom, or indulging in private sexual acts. However, since the event in this case happened in front of the complainant's house, the Court ruled that it does not qualify to be classified as voyeurism.

Electronic voyeurism is covered under Section 66E of the Information Technology Act, 2000. Initially, this was not included within the ambit of the IT Act, but it was incorporated by the Information Technology Amendment Act, 2008. This provision criminalizes the violation of a person's privacy by photographing, publishing, or sending photos of individuals engaged in private acts without their permission. This section is gender-neutral and supports traditional voyeurism laws in the Indian Penal Code (IPC). While it can result in up to three years imprisonment and fines, it is difficult to define what a "reasonable expectation of privacy" is. Legal frameworks in many jurisdictions have begun to address this issue, recognizing it as a serious cybercrime that infringes on personal privacy. As society becomes increasingly aware of the implications of technology on privacy, efforts to educate individuals about their rights and implement protective measures are crucial in combating this troubling phenomenon.





CASE CHRONICLE

Right to privacy includes spousal privacy

-Sri Sai Kamalini M S

Case: **R.v.B**

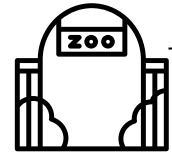
Citation: **CRP(MD)No.2362 of 2024) and CMP(MD)No.13409 of 2024)**

This recent Madras High Court judgment shows that the fundamental right to privacy extends to spousal privacy, and evidence obtained by violating this right is inadmissible in court. The case involved a husband, “B”, who filed for divorce from his wife, “R”. “B” submitted his wife’s call data records as evidence. The wife contested the admissibility of this document because it was obtained without her consent and violated her right to privacy.

The Court pointed out that the husband obtained the wife’s call records without her consent by accessing her mobile phone, which was a clear breach of her privacy. The Court referenced the landmark judgment of Justice **K.Puttaswamy (Retd) v. UOI (AIR 2017 SC 4161)** to establish privacy as a fundamental right. It also acknowledged the conflicting judicial opinions on the admissibility of evidence procured by violating the right to privacy. It cited several cases, including **Kethana Lokes v. Rahul Bettakotte(2024 Karnataka HC 21752)**, **Asha Latha v. Durgesh (2023 SCC OnLine Chh 3959)**, **Deepti Kapur v. Kunal Julka (AIR 2020 Del 156)**, that have taken different stances on this issue.

The court stated that while the right to privacy is not absolute, any restrictions must be established by law, and a fair and reasonable procedure with constitutional safeguards must be followed. The Madras High Court concluded that trust is essential in a marriage, and snooping on one’s spouse erodes the foundation of the relationship. The court compared invading a spouse’s privacy to reading their diary without consent, emphasizing that women have a right to autonomy and privacy in their personal space.

The court ultimately ruled that privacy is a fundamental right that extends to spouses. Evidence obtained by violating this right, such as in the case of the husband accessing his wife's call data without her consent, is inadmissible in court.



BEYOND THE OBVIOUS

Guardians of the wild: Navigating India's private zoo regulations

-Seethala B

India's private zoo regulations are built on a robust framework aimed at ensuring animal welfare and public safety. Governed by the **Central Zoo Authority (CZA)**, guidelines laid stringent requirements for animal housing and zoo operations. Tiger & Lion must have a minimum of 1000 square meters of display area with 20-square-meter indoor dens, while Panther & Leopard require 500 square meters and 15-square-meter dens. These spacious enclosures are designed to accommodate the animals' natural behaviour and movement needs.

In addition to physical space, the infrastructure must include high, secure perimeter walls (at least 3 meters), double-gate systems to prevent escapes, and comprehensive veterinary facilities for routine and emergency care. As staffing is equally vital: **Zoos must employ qualified veterinarians, skilled animal keepers, and security personnel to ensure both animal well-being and visitor safety.**

The Zoo owners are required to maintain detailed records, covering everything from animal acquisition and health monitoring to daily activity logs. Strict safety measures, including emergency protocols, fire safety, and visitor barriers, are also mandated to prevent accidents and ensure a smooth visitor experience.

These regulations are enforced under the **Wildlife Protection Act, 1972**, and the **Recognition of Zoo Rules, 2009**, with regular inspections by CZA and state forest departments. Failure to comply with these standards can lead to severe consequences, including the revocation of licenses and potential legal action.

In 2021, the Delhi Zoo reported 144 animal deaths from traumatic shock between 2017-2020. Concerns over poor management, veterinary care, and lapses in vaccination were raised. Animal activist Gauri Maulekhi's RTI inquiry highlighted these issues, including predator-related deaths, with the zoo promising improved transparency and animal care.



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