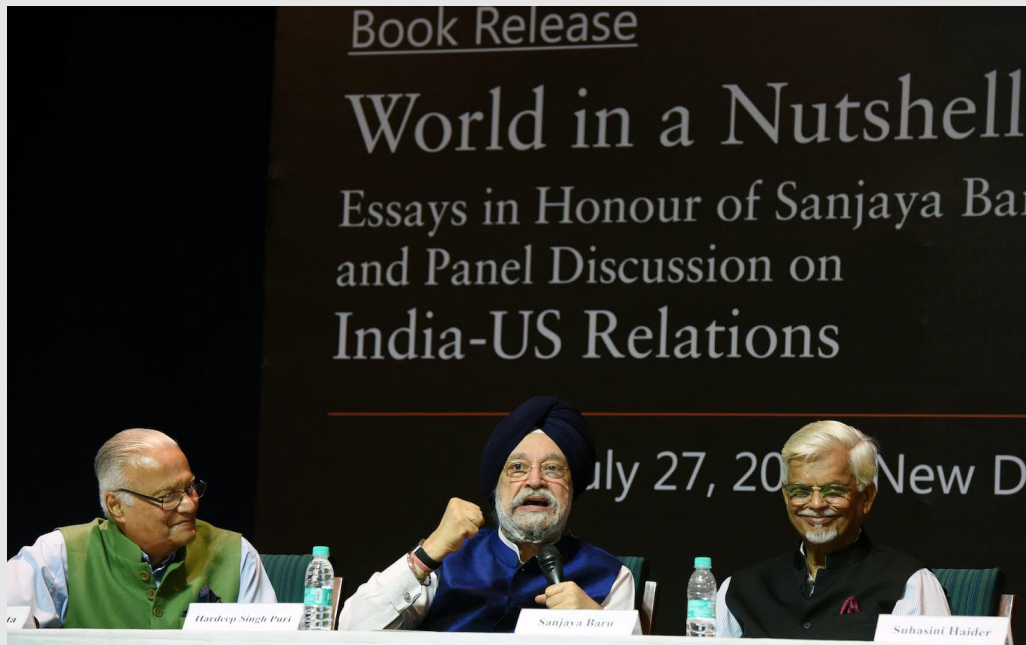


CUTS CCIER ACTIVITIES REPORT

CUTS[®]
International

JULY-SEPTEMBER
2019

World in a Nutshell *Essays in honour of Sanjaya Baru*



The book entitled 'World in a Nutshell', compiled by CUTS in honour of noted political and economic commentator Sanjaya Baru, was released at New Delhi on July 27, 2019. The Minister of State for Commerce and Industry, Hardeep Puri was the chief guest. The book launch was followed by a panel discussion on India-US relations.

Puri said that substantive engagement with the US is at the heart of strong economies around the world, the same should be the case with India in her pursuit to become a US\$5tn economy. Baru mentioned that US grand strategy is to contain Chinese growth by all means. Adding to this was Secretary General of CUTS International, Pradeep Mehta, who said that India can balance the current world order by engaging deeper with the US.

Baru also mentioned that the matter of procuring S-400 missile defence system from Russia is an important test case for the India-

US relationship. The US must understand that India's relationship with Russia is important and that is related to India's strategic interest and autonomy.

Other panellists included Ambassador Bhaswati Mukerjee, noted journalist Suhasini Haider and Director of Nehru Memorial Museum and Library, Shakti Sinha who was also the co-host along with CUTS. Haider said that while the Indo-Pacific construct is predominantly a security construct, it carries a huge economic dimension especially if seen as a joint infrastructure and connectivity alternative to China's Belt and Road Initiative.

Ambassador Mukerjee added that Indo-US engagement is a multi-layered one and complexity at each layer must be accorded due consideration. Shakti Sinha stated that India must be ready to move beyond its traditional caution and take a stand where necessary while working with countries with similar viewpoints.

The book *World in a Nutshell* is an anthology of 20 essays from 21 distinguished authors who amongst others include noted Economist Jagdish Bhagwati, two former foreign

Secretaries Shyam Saran and S Jaishankar, Former US Ambassador to India Robert Blackwill and former Director General, WTO Pascal Lamy.

Personal Data Protection Bill, 2018

CUTS International organised a two-day consumer awareness workshop on 'Data Protection and Privacy & Impact of Personal Data Protection Bill, 2018 (PDPB)' in Jaipur on July 18-19, 2019. The workshop engaged key local stakeholders intending to build their capacity to further engage with citizens and policymakers productively on the issues of privacy and data protection and also help consumers' put forth their perspective. The closing session of the workshop was marked by a panel discussion on 'India's privacy protection policy: Will the consumers feel empowered or enraged?'

Bhavana Sharma, Adviser, Telecom Regulatory Authority of India (TRAI) chaired the panel discussion. She pointed out that for privacy policies to be easily comprehensible by the consumers, it needs to be presented in a readily intelligible format.

Shagufta Gupta, Director, CUTS International asserted that the responsibility of safeguarding data and privacy should not be forwarded to consumers. Ajay Data, Founder and CEO, Data XGen Technologies, also the first Indian elected as a council member of the Internet Corporation for Assigned Names and Numbers (ICANN) remarked that the PDPB has given a miss to the education fund that would ensure mass awareness.

Prasanna, a lawyer and constitutional expert pointed out that data is not a public good, it is a private right.

The workshop highlighted the issues related to data leaks, data breaches, and surveillance. CUTS also presented findings of their user perception survey covering 2,160 respondents across six states in India on the usage of digital technologies by consumers. The consumers expect service providers to use consumer data only for the purposes it was collected, uphold privacy and practice anonymisation.

Several stakeholders participated in the discussion, including policy influencers, senior bureaucrats, industry representatives, academia, civil society, think tanks, media, among others.

Recently, many developments have been made on the front of securing data and the informational privacy of the Indian citizens. There is a dire need to raise awareness and build the capacity of consumers, particularly in tier-II locations, considering they are increasingly coming within the fold of the digital ecosystem. Awareness workshops such as these would help consumers safely navigate the digital ecosystem.



Low Carbon Mobility and EV Integration Framework for Jaipur



CUTS International, along with Bask Research Foundation and World Resources Institute (WRI India), organised a one-day roundtable on ‘Exploring the Transition to Electric Mobility in Jaipur City’ on August 28, 2019. This is the second event in continuation with a previous roundtable organised on May 25, 2019. The initiative is supported by Friedrich Ebert Stiftung India (FES India) as a part of ‘Green Growth and Energy Transformation’ (Grow-GET) project and aimed at developing frameworks for low carbon mobility and an Electric Vehicles (EV) Integration plan for Jaipur city.

The previous roundtable focussed on building a narrative amongst the diverse group of stakeholders from national, state and city level jurisdictions. Healthy private sector participation from Ola Mobility Institute and Mahindra & Mahindra enriched the discourse. The second roundtable was more inclined towards assessing the political economy of electric mobility and integrating

the technical, commercial and infrastructural aspects with the larger consumer aspirations and perceptions.

The event was chaired by Additional Chief Secretary (Transport), Government of Rajasthan which proved to be beneficial for all in terms of gaining the traction of the government in our endeavours. He highlighted the case for brainstorming on solutions to make EV integration feasible and acceptable by all. This would require deliberations on ways to break the vicious cycle of economic-social-political considerations around electric vehicles.

To work in this direction, CUTS International was invited to convene a core working group which would provide ready-to-use research inputs to the Government of Rajasthan. Other participants included representatives from civil society organisations, consumer representatives, private automobile players, researchers and various city and state-level authorities.

Capacity Building of Electricity Consumers' in Rajasthan

CUTS International and Bask Research Foundation, with the support of the Shakti Sustainable Energy Foundation (SSEF), has been implementing a project entitled 'Capacity Building of Electricity Consumers' in Rajasthan. A two-day 'Training of Trainers' Workshop was conducted at Jaipur on August 22-23, 2019 with three grassroots partners of the project, who had set up Consumer Assistance Cells (CONASC) in their respective districts.

The primary aim of the workshop was to deliberate on the challenges and opportunities experienced during the CONASC operations, to optimise future strategy and streamline grassroots operations. In the process, participants were also trained on policies and

regulations pertinent to prominent issues that have emerged during the initial phase of the CONASCs' activities.

The sessions included presentations from partners on the experience of the CONASCs, which was followed by interactive sessions on common issues, such as billing and electricity metre problems, standard operating procedures to be followed in addressing consumers, rights of consumers in various circumstances, and others.

The training workshop culminated in the CONASC partners developing a robust understanding of the regulations relevant to the issues at the grassroots and streamlining of the operational strategy.

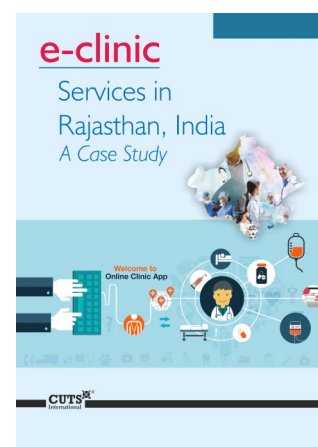


Publication

Case Study on Clinical Services in Rajasthan, India

Providing healthcare services to all has been a priority for the Government of India. A number of initiatives have been launched to achieve this. However, reaching out to the remote pockets of India and catering to the last mile citizens, through conventional modes of healthcare, has remained a challenge. Digital innovations and social enterprises have shown promise of overcoming this challenge through the use of Information and Communication Technology (ICT) in providing healthcare services.

E-clinics, one of the modes of telemedicine services, are believed to have been successfully providing primary healthcare services to remotely located pockets of Rajasthan, India. It, therefore, becomes important to not only identify and enhance the benefits they render, but also to align it with government's efforts of providing healthcare services to all. Thus, this case study.



Representations



- Pradeep S Mehta, Udai S Mehta and Sidharth Narayan participated in an event on 'New Rules for the Internet: Shaping the Digital Economy' organised by Ananta Centre at New Delhi, on September 12, 2019. They also participated in an event on 'Unlocking the Potential of India's Data Economy' organised by Monitor Deloitte, Omidyar Network and the Dialogue at New Delhi, on September 12, 2019.
- Ujjwal Kumar, participated in workshop on 'E-commerce: Changing Competition Landscape in India' organised by the Competition Commission of India at New Delhi on August 30, 2019. He also participated and spoke at the VI BRICS International Competition Conference held in Moscow during September 16-19, 2019.
- Poulomi Ghosh and Prakash Vaibhav participated in the 4th Digital Rajasthan Conclave 'Digital with a latent potent to empower a five trillion-dollar Indian Economy' organised by Federation of Indian Chambers of Commerce & Industry (FICCI) at Jaipur on August 28, 2019.
- Shagufta Gupta participated in the International Privacy Forum Conference organised by USIBC/US Chamber of Commerce at Hyderabad on July 18, 2019. She was a panellist in a session on 'Data: Of the People, For the People'. She also participated in the 'AI for Good' Design Jam organised by Facebook at Hyderabad on July 10, 2019.
- Swati Punia made a presentation on 'Protecting the Digital Consumer: Relevant Legislation, Policies and International Practices, Challenges and Possible Solutions' at a Seminar on 'Consumer Information, Protection and Rights in Digital Era' organised by the Telecom Regulatory Authority of India at Shimla, Himachal Pradesh on June 18, 2019.



Advocacy

CUTS Comments on the Draft E-Commerce Guidelines for Consumer Protection



CUTS submitted its comments on the Draft E-Commerce Guidelines for Consumer Protection, 2019 released by the Department of Consumers Affairs for public comments. The broad comment was to maintain 'optimal regulation' so that it does not adversely affect the emerging e-commerce ecosystem, which is in the interest of consumers.

Following are some of the comments:

- The proposed draft Guidelines seem to be exceeding 'optimality' and also encroaching into the domains of other regulators.
- The draft Guidelines, still uses "Consumer Protection Act, 1986" when the new Act has been enacted in 2019 and which tends to repeal the earlier Act.
- Generally, guidelines are issued under a parent Act and it mentions the provisions under which the same have been issued. The present Guidelines should also mention that it has been issued under the CPA.
- Generally, guidelines are not used for defining 'terms' and the same is mainly done in the parent Act itself. However, the present Guidelines not only define certain terms, but also deviates from definitions under its parent Act, i.e. CPA, 2019.
- While devising liabilities for e-commerce platforms, the Guidelines fail to make distinction between inventory-model and marketplace-model of e-commerce.
- It is also imperative that new/small e-commerce players are not required to bear disproportionate compliance costs. Hence, certain relaxations such as a moratorium on certain provisions need to be provided to new entrants.
- In accordance with the Pre Legislative Consultative Policy of the Government, a rigorous cost-benefit analysis/impact assessment should be undertaken to ensure the optimality of the Guidelines.



Advocacy through Media

Use Crisis as an Opportunity to Restart Reforms, Lessen Winners-Losers Divide

Deccan Chronicle, September 20, 2019

By Pradeep S Mehta

India is experiencing a severe economic crisis, one which should not be wasted but turned into an opportunity by introducing much-needed deeper reforms. Unfortunately, the government is yet to recognise this. Lack of macro-economic thinkers at the highest level has been highlighted as one of the reasons for such failure.

<https://cuts-ccier.org/use-crisis-as-an-opportunity-to-restart-reforms-lessen-winners-losers-divide/>

National Competition Policy: Compete, not also-run

Economic Times, September 19, 2019

By Pradeep S Mehta

As India faces one of its worst economic slowdowns, it's worth revisiting past efforts to deal with difficult economic situations through the lens of structural competition reforms.

<https://cuts-ccier.org/national-competition-policy-compete-not-also-run/>

The right way to boost economic growth

The Week, August 31, 2019

By Pradeep S Mehta and Amol Kulkarni

After visiting many small cities, Finance Minister Nirmala Sitharaman recently announced a set of stimulus measures to pull up the slowing economy. On expected lines, the measures were targeted to correct past mistakes, revive positive perception about the economy, unleash animal spirits and tackle a few immediate challenges.

<https://cuts-ccier.org/the-right-way-to-boost-economic-growth/>

Ease of running a business: What Siddhartha forces us to reflect on

Asian Age, August 23, 2019

By Pradeep S Mehta and Shagufta Gupta

In his Independence Day address, Prime Minister Narendra Modi exhorted citizens to respect wealth creators so that they can achieve our economic goals. Surely, Modi had borne the unfortunate suicide of "coffee king" V G Siddhartha in mind. Tax terrorism was one of the issues that had hit Siddhartha hard.

<https://cuts-ccier.org/ease-of-running-a-business-what-siddhartha-forces-us-to-reflect-on/>

Budget 2019 is long on infrastructure development but short on human development

Financial Express, July 09, 2019

By Pradeep S Mehta

Budget 2019-20: For employment generation, the government intends to boost agro-rural industries through cluster based development with a focus on bamboo, honey and khadi clusters.

<https://cuts-ccier.org/budget-2019-is-long-on-infrastructure-development-but-short-on-human-development/>

Government needs to do much more to attract investments

Outlook India, July 05, 2019

By Pradeep S Mehta

If the government is serious about attracting investment, it will need to do much more than just focusing on moving up on the Ease of Doing Business Rankings. Cutting red tape, ensuring policy consistency and predictability, bureaucratic reforms, and time-bound dispute resolution will be pre-requisites.

<https://cuts-ccier.org/government-needs-to-do-much-more-to-attract-investments/>