

# CUTS CCIER ACTIVITIES REPORT

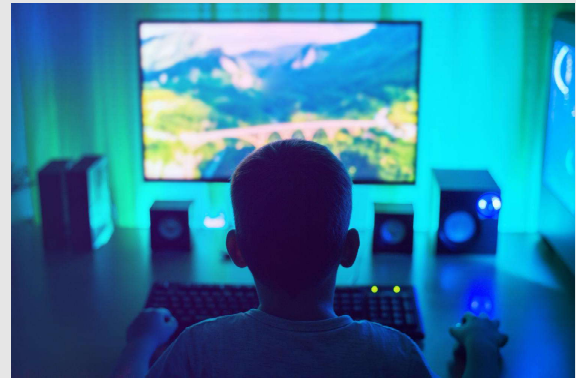
APRIL-JUNE  
2022

## ‘Power-Up’ to the Gamers: Empowering Consumers in the Online Gaming World

CUTS International and Nishith Desai Associates jointly organised a webinar on ‘Power-Up’ to the Gamers: Empowering Consumers in the Online Gaming World on June 29, 2022. The objective of the discussion was to ensure innovation and player protection go hand in hand.

Rakesh Maheshwari, Scientist G and Group Coordinator, Ministry of Electronics and Information Technology (MeitY), Government of India remarked that deliberations are ongoing within the government to identify a nodal ministry for online gaming.

Gowree Gokhale, Partner, Nishith Desai Associates; Sameer Barde, CEO, E-Gaming Federation; and Shivani Jha, Director, eSports Players Welfare Association were panellists in the session



moderated by Prince Gupta, Senior Research Associate, CUTS International.

<https://cuts-ccier.org/power-up-to-the-gamers-empowering-consumers-in-the-online-gaming-world/>

## Whether ‘data localisation’ and ‘National champion’ approach would lead to an inclusive digital economy?

CUTS International, United Nations Industrial Development Organisation (UNIDO) and Diplo Foundation jointly organised a virtual session on Whether ‘Data Localisation’ and ‘National Champion’ Approach lead to an Inclusive Digital Economy? on April 27, 2022, during the UNCTAD eCommerce Week 2022.



Bernardo Calzadilla-Sarmiento, Director, Department of Digitalisation, Technology and Innovation, UNIDO; Alison Gillwald, Executive Director, Research ICT Africa; Marilia Maciel, Digital Policy Senior Researcher, Diplo Foundation and Lorryne Porciuncula, Executive Director, Datasphere Initiative were panellists in the session moderated by Rashid S Kaukab, Executive Director, CUTS International, Geneva.

The panellists raised concerns about data localisation on trade, economy and sustainable development as it might negatively impact competitiveness, innovation and e-trade. Data localisation mandates might make it difficult for smaller firms to operate cross-border as it will increase the cost of data storage, compliance burden and differentiation of personal and non-personal data.

<https://cuts-ccier.org/whether-data-localisation-and-national-champion-approach-would-lead-to-an-inclusive-digital-economy/>



### CUTS Comments on

## Rajasthan Virtual Online Sports (Regulation) Bill, 2022

The Department of Finance, Government of Rajasthan, invited comments on the Draft Rajasthan Virtual Online Sports (Regulation) Bill, 2022. The bill aims to regulate virtual online sports and includes esports competitions, fantasy sports, derivative formats that courts approve, self-regulatory organisations or any other appropriate authority.

CUTS International recommended the government to make the bill more robust by stating what constitutes games of skill and games of chance and include regulation of all kinds of skill-based pay-to-play online games within the bill's ambit. The Rajasthan Virtual Online Sports Commission should be empowered with more powers, such as licencing. The Government of Rajasthan must ensure that the bill is in synergy with other upcoming Central and State legislation.



<https://cuts-ccier.org/pdf/comments-on-rajasthan-virtual-online-sports-regulation-2022-bill.pdf>

## National Data Governance Framework Policy 2022

The MeitY released the draft National Data Governance Framework Policy 2022 (NDGFP). India has deliberated governing frameworks around non-personal data to drive economic growth by preventing market distortions and promoting entrepreneurship and innovation.

CUTS International welcomes this important and progressive step towards foresight unforeseen implications through consultation and deliberation with stakeholders on NDGFP. It recommends the policy should clearly outline how India Data Management Office (IDMO) will achieve its intended goals and state the principles which should be followed by the IDMO while performing its duties.

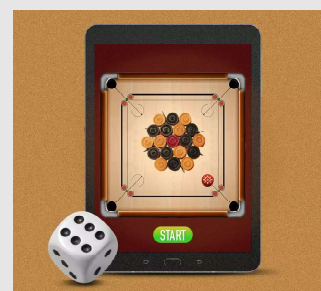


<https://cuts-ccier.org/pdf/comment-of-national-data-governance-framework-policy-2022.pdf>

## Online Gaming Regulations

CUTS International submitted its comments to the MeitY on online gaming regulations. It has recommended a tiered mechanism for grievance redressal of consumers, which should be mandated through statutory provisions in regulations. In the first step, grievances should be solved by the online gaming platform. If it fails, consumers should have the right to appeal to the Self-Regulatory Organisations, which should have an ombudsperson to address grievances.

<https://cuts-ccier.org/pdf/submission-to-meity-on-online-gaming.pdf>





## Advocacy

### Registered Medical Practitioner (Professional Conduct) Regulations, 2022

The National Medical Commission invited comments on Registered Medical Practitioner (Professional Conduct) Regulations 2022. CUTS International focused on a few important issues in the regulations. Registered Medical Practitioners (RMP) registered under the National Medical Commission (NMC) Act 2019 should use the prefix of Med. Dr. before their name while displaying a unique registration ID in their prescription and money slips. RMPs who wish to practice in another state (due to transfer of work or residence) should inform the State Medical Council and apply for a licence to practice in that State.

<https://cuts-ccier.org/pdf/comments-on-national-medical-commissions-registered-medical-practitioner-regulations-2022.pdf>

#### NMC RMP Regulations 2022



## Publications

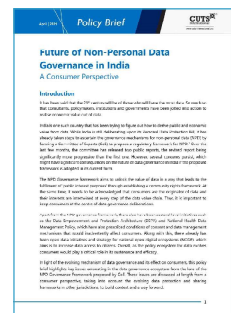
### Policy Brief

### Future of Non-Personal Data Governance in India

The Non-Personal Data (NPD) governance framework aims to unlock the value of data in a way that leads to the fulfilment of 'public interest purposes' through establishing a community rights framework. Apart from the NPD governance framework, sectoral-level initiatives include the Data Empowerment and Protection Architecture and National Health Data Management Policy. These have also prescribed conditions of consent and data management mechanisms that would inadvertently affect consumers.

This Policy Brief highlights key issues in the data governance ecosystem from the lens of the NPD Governance Framework proposed by Committee of Experts.

<https://cuts-ccier.org/pdf/policy-brief-future-of-npd-governance-in-india.pdf>

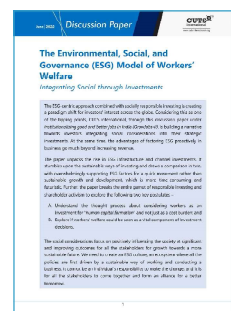


### Discussion Papers

### The Environmental, Social, and Governance (ESG) Model of Workers' Welfare

The ESG-centric approach combined with socially responsible investing is creating a paradigm shift for investors' interest across the globe. CUTS International, through this Discussion Paper under 'Institutionalising good and better jobs in India' (GrowJobs-II), is building a narrative towards investors integrating social considerations into their strategic investments. The paper unpacks the rise in ESG infrastructure and channel investments.

<https://cuts-ccier.org/pdf/dp-the-environmental-social-and-governance-model-of-workers-welfare.pdf>



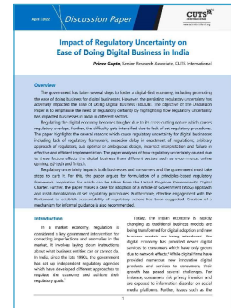


## Impact of Regulatory Uncertainty on Ease of Doing Digital Business in India

Regulating the digital economy becomes tougher due to its cross-cutting nature, which causes regulatory overlaps. Further, the difficulty intensifies due to the lack of regulatory procedures.

The Discussion Paper highlights several reasons that cause regulatory uncertainty for digital businesses, including lack of regulatory framework, excessive delay in enacting regulations, the arbitrary approach of regulators, sub-optimal or ambiguous design, incorrect interpretation and failure in effective and efficient implementation. The paper analyses how regulatory uncertainty caused due to these factors affects the digital business from different sectors such as e-commerce, online gaming, ed-tech and fintech.

[https://cuts-ccier.org/pdf/dp-impact\\_of\\_regulatory\\_uncertainty\\_on\\_ease\\_of\\_doing\\_digital\\_business.pdf](https://cuts-ccier.org/pdf/dp-impact_of_regulatory_uncertainty_on_ease_of_doing_digital_business.pdf)

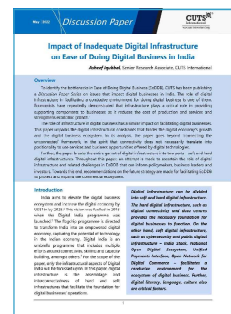


## Impact of Inadequate Digital Infrastructure on Ease of Doing Digital Business in India

The Discussion Paper unpacks the digital infrastructural constraints that hinder the digital economy's growth and the digital business ecosystem. In its analysis, the paper goes beyond 'connecting the unconnected' framework, in the spirit that connectivity does not necessarily translate into positionality to use services and business opportunities offered by digital technologies.

Further, the paper breaks the entire gamut of digital infrastructure into two parts – soft and hard digital infrastructures. Throughout this paper, an attempt is made to ascertain the role of digital infrastructure and related challenges in Ease of Doing Digital Business in India that can inform policymakers, business leaders and investors.

[https://cuts-ccier.org/pdf/discussion-paper-on\\_impact\\_of\\_inadequate\\_digital\\_infrastructure\\_on\\_ease\\_of\\_doing\\_digital\\_business\\_in\\_india.pdf](https://cuts-ccier.org/pdf/discussion-paper-on_impact_of_inadequate_digital_infrastructure_on_ease_of_doing_digital_business_in_india.pdf)

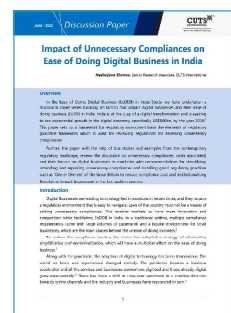


## Impact of Unnecessary Compliances on Ease of Doing Digital Business in India

The Discussion Paper distinguishes between necessary and unnecessary compliances by using elements of the regulatory guillotine framework and expands upon the core principles of 'legality', 'necessity', and 'business friendliness'.

Further, the paper renews the discussion on unnecessary compliances, costs associated, and their impact on digital businesses. It concludes with recommendations for simplifying, amending and repealing unnecessary compliances and installing good regulatory practices.

<https://cuts-ccier.org/pdf/dp-on-impact-of-unnecessary-compliances-ease-of-doing-digital-business-in-india.pdf>





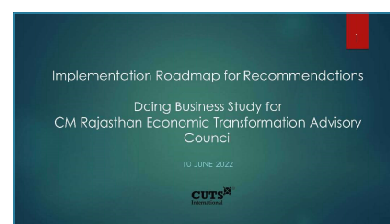
## Presentation

### Doing Business Study for CM Rajasthan Economic Transformation Advisory Council

CUTS International has undertaken a study titled 'Reducing Regulatory Compliances in Rajasthan', which aims to foster ease of doing business for industries within Rajasthan by reducing the regulatory compliance burden under the state laws.

To set up a Regulatory Guillotine Unit in the Industries Department by building the capacity of select officers also to configure the Data Management team to tabulate, analyse, and internally disseminate stakeholder feedback. Through this presentation, CUTS encourages stakeholders to provide feedback on existing and proposed compliances.

<https://cuts-ccier.org/pdf/cuts-presentation-on-eodb-final-report.pdf>



## Digital Story

According to the World Health Organisation, India is home to nine of the ten most polluted cities worldwide. A significant contributor to air pollution is the transport sector, in which road transport is the main sub-sector accounting for over 95 percent of the total transport sector's emissions.



In this regard, CUTS International has undertaken a study, 'Accelerating Electric Vehicle Adoption in Rajasthan,' to identify current supply and demand side gaps and various policy practices. These could be undertaken by the state-level authorities to ease the transition to electric vehicles in Rajasthan. Under this project, a

series of digital stories in five cities of Rajasthan: Jodhpur, Udaipur, Kota, Jaipur and Alwar were released.

<https://cuts-ccier.org/ev-olution-in-rajasthan/>



## Representations

- Amol Kulkarni moderated a special session on 'Streamlining Digital Payments for the Indian Consumer' organised by Associated Chambers of Commerce and Industry of India (ASSOCHAM) as a part of its Fintech Fest in New Delhi, on June 09, 2022.
- Prince Gupta and Neelanjana Sharma participated in the Rajasthan Government's Stakeholders Consultation Workshop regarding the draft of the Rajasthan Virtual Online Sports (Regulation) Bill, 2022 on June 23, 2022.



## Advocacy through Media

### A Six-point Agenda for India to Raise Trade Competitiveness

*Livemint, April 17, 2022*

By Pradeep S Mehta

In a recent joint article, Piyush Goyal, India's trade minister, and Dan Tehan, the Australian trade minister, wrote that the new trade deal between our two countries would result in new jobs. This deal follows a similar one with the UAE, with more in the pipeline. One hopes that such deals will push the envelope of India's competitiveness and make good use of our demographic dividend. It is a no-brainer that exports lead to higher growth.

<https://cuts-ccier.org/a-six-point-agenda-for-india-to-raise-its-trade-competitiveness/>



## Advocacy through Media

### Human Capital Growth through Social Impact Investment

*The Economic Times, April 18, 2022*

By Pradeep S Mehta and Tanya Goyal

On average, human capital and other intangible assets are estimated to comprise more than half of the market value of a company. A thoughtful human capital management practice or absence in a competitive employment landscape could have a visible effect on a company's financial health. Investors now more than ever are making such capital management practices their investment priority.

<https://cuts-ccier.org/human-capital-growth-through-social-impact-investment/>

### Core Issues for Indian Regulators are Inadequate Autonomy & Lack of Parliamentary Accountability

*The Economic Times, April 25, 2022*

By Vijay L Kelkar and  
Pradeep S Mehta

The telecom regulator of Brazil, the National Agency of Telecommunications (Anatel), is not hierarchically subordinate to a government agency. The members of its council of directors, the managing body responsible for decision-making, are chosen by the president and approved by the federal senate. Ministries pertaining to sectors regularly interfere with independent regulators, challenging their independence. These regulatory institutions lie at the heart of India's post-reforms economic governance system.

<https://cuts-ccier.org/the-core-issues-for-regulators-in-india-are-inadequate-autonomy-and-lack-of-parliamentary-accountability/>

### Can India become Competitive while Pursuing Resilient Climate Development?

*The Economic Times, May 08, 2022*

By Pradeep S Mehta and Shiksha Srivastava

The recently released Intergovernmental Panel on Climate Change (IPCC) report in February 2022 has made it clear that the future lies in climate-resilient development or nothing. Following on the heels of COP26, it has suggested serious and urgent attention to the adaptation of climate risk management and mitigation policies so that the goal of 1.5-degree temperature is met. One might think this means substantial investment in renewable energy, clean technology, infrastructure, and linked sectors, etc.

<https://cuts-ccier.org/can-india-become-competitive-while-pursuing-climate-resilient-development-difficult-but-possible/>

### Is it time for India to go for Competitiveness Legislation?

*Livemint, June 01, 2022*

By Pradeep S Mehta

India has been on a steady path of reforms for its economy to achieve better competitiveness. Economic reforms include digital growth, trade policy reforms and a mix of inward and outward-looking measures. The agenda is to alleviate poverty and create better jobs. A six-point agenda for India to raise its competitiveness was laid out. One of the six essential pillars was the need for a 'whole of government' approach within the Centre and with and among states.

<https://cuts-ccier.org/is-it-time-for-india-to-go-for-competitiveness-legislation/>

### Why RBI should not Enforce Card Tokenisation Mandate?

*The Economic Times, June 23, 2022*

By Pradeep S Mehta

For tokenisation to work, entities in the payments value chain - issuer banks, card networks, payment gateways (PGs), payment aggregators (PAs), acquirer banks and merchants - are dependent on each other for testing and integrating viable solutions. In other words, the tokenisation chain is as strong as its weakest link, and the slightest disruption can adversely impact the consumer experience.

<https://cuts-ccier.org/why-rbi-should-not-enforce-card-tokenisation-mandate/>