

CUTS CCIER ACTIVITIES REPORT

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International

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Future of Data Governance in India: *A Consumer Perspective*

CUTS International organised a webinar on “Future of Data Governance in India: A Consumer Perspective” on March 12, 2021.

While speaking at the online panel discussion Amar Patnaik, member of Joint Parliamentary Committee (JPC) on Personal Data Protection Bill and Member of Parliament, Rajya Sabha said, “It would be safe to conclude that we are likely to soon witness some developments around a robust personal data protection law which takes into account diverse perspectives and balances individual privacy, state’s interests, and need to leverage the digital economy.”

B N Satpathy, Senior Consultant, Office of PSA, Government of India, while acknowledging the importance of privacy, suggested that it cannot overrule the central objective of data governance architecture, which is to ensure ease of



living for citizens and serve the need for a common consumer. To this end, he pointed out that fostering demand and supply of information will be crucial, for which legally recognising the role of non-state actors in collecting and supplying citizen-generated data could be envisaged.

Linnet Taylor, Associate Professor, Tilburg University, and Lead, Global Data Justice Project, cautioned against stretching data protection to do things it is not necessarily designed to do. It is necessary to clearly define data markets to enable the application of data protection frameworks.

Other speakers during the session were Amlan Mohanty from Google, Nehaa Chaudhari from Ikigai Law, and Srikanth Lakshmanan from Cashless Consumer. A consensus emerged that greater consultations of this nature are essential to design a shared future of optimal data governance in India.

The session was moderated by Amol Kulkarni, Director (Research), CUTS International.

<https://cuts-ccier.org/webinar-on-future-of-data-governance-in-india-a-consumer-perspective/>

Improving India's Competitiveness for Inclusive Economic Growth

CUTS International organised a series of webinars on “Improving India's Competitiveness for Inclusive Economic Growth”.

Three webinars were organised on January 27, February 17 and March 09, 2021, respectively.

These webinars were organised to deliberate on issues and challenges hindering the competitiveness of Indian industries and how they can be overcome to enhance our export growth.

The discussion captured the situation on where the Indian economy stands today and the options for the Indian policy-makers to improve competitiveness of Indian industries to make India an economic powerhouse in the coming years.

Eminent experts, such as Montek Singh Ahluwalia, Former Deputy Chairman, Planning Commission of India; Ajay Shankar, Former Member Secretary NMCC; Ajit Pai, Distinguished Expert, Economics & Finance, NITI Aayog; Arvind Mayaram, Former Finance Secretary of India; Gopal Krishna Agarwal, National Spokesperson, Economic Affairs, BJP; Surjit Bhalla, India's Executive Director, International Monetary Fund; Shankar Acharya, Former Chief Economic Adviser to Government of India; Bidhisha Ganguly, Chief Economist, Confederation of Indian Industry; Ashima Goyal,

Professor, IGIDR; Nitin Desai, Former Under Secretary-General, United Nations; Jagat Shah, Founder & CMD, Global Network; Rathin Roy,

Managing Director, Research and Policy, Overseas Development Institute; Naina Lal Kidwai, Chair, India Advisory Board, Advent International Private Equity; Shailesh Pathak, CEO, L&T IDPL; Indira Rajaraman, Former Professor, IIM Bangalore; Abhishek Kumar, Partner, INDICC; Vivan Sharan, Partner, Koan Advisory Group; Himanshu, Associate Professor, JNU; Shamika Ravi, Nonresident

Senior Fellow, Governance Studies, Brookings Institute Washington D.C.; Manoj Panda, RBI Chair Professor, Institute of Economic Growth; Rajat Kathuria, Director and Chief Executive, ICRIER and Dhiraj Nayyar, Director, Economics and Policy, Vedanta Group expressed their views.

The webinars were moderated by Pradeep S Mehta, Secretary General, CUTS International and Amit Kapoor, Honorary Chairman, Institute for Competitiveness and Pritam Banerjee, Independent Trade and Logistics Specialist were the two Catalyst.

<https://cuts-ccier.org/cuts-webinar-on-improving-indias-competitiveness-for-inclusive-economic-growth/>



Cyber Safety Best Practices for MSMEs

The growth in digital technology has transformed businesses in India and across the globe, benefiting businesses with better connectivity. The adoption of digital technologies also accelerated due to the COVID-19 pandemic, wherein many micro, small and medium enterprises (MSMEs) went online.

On the other side, on account of increasing digital adoption, cyber threats have also increased proportionally. MSMEs are most vulnerable to the growing cyber threats and attacks because of several factors, such as lack of cyber safety prioritisation, capital allocation to cybersecurity, understanding of cybersecurity risks, etc. Eminent experts discussed discrete opportunities, challenges, and cyber safety best practices for the MSMEs with this objective at a webinar organised by CUTS International on “Cyber Safety Best Practices for MSMEs” on February 18, 2021.

Key speakers in the webinar were: Monica Shie, Public Affairs Officer, U.S. Consulate-Kolkata and Director, The American Center-Kolkata; Bipul Chatterjee, Executive Director, CUTS International; Deepak Maheshwari, Distinguished Fellow, CUTS International; Anil Bhardwaj, Secretary-General, Federation of Indian Micro and Small & Medium Enterprises (FISME); Karnika Seth, Managing Partner, Seth Associates; Rahul Sharma, Founder, The Perspective; Ranjit Rane, Manager, Technology and Policy Research, Reserve Bank Information Technology Pvt Ltd (ReBIT) and Tulika Pandey, Cyber Security Group, Ministry of Electronics & Information Technology (MeitY), Government of India.

<https://cuts-ccier.org/cuts-webinar-cyber-safety-best-practices-for-msmes/>

Women and Technology

Gender Equality in the Digital Ecosystem

Digital technology is playing a critical role within various sectors, and its influence is likely to increase in the coming times with rapid digitalisation. Especially, during the COVID times, it has become the means for providing essential services such as healthcare

and education. However, accessibility of such services, to all the masses is still a challenge, specifically for women owing to the digital gender divide. Along with this, there also exist rampant cybersecurity concerns for women.

To deliberate on these very important issues and to further the discourse on the policy brief published by CUTS on the same issue, CUTS International in collaboration with Cyber Saathi organised an online panel discussion.

Mia Mikic, Director, Trade, Investment and Innovation Division, United Nations Economic and Social Commission for the Asia and Pacific (UNESCAP) emphasised that there is a need to dispel myths around the incapacity of women to stand up for themselves by bringing in a woman as an influencer in the policymaking process.

Reema Nanavaty, Head, Self-Employed Women's Association of India suggested that



policymakers should listen and learn from how women are using technology in different sectors to find livelihood opportunities.

Anja Kovacs, Director, Internet Democracy Project pointed out that privacy should not be looked as a responsibility but as a

right. For this, we should look beyond data as a resource and should explore linkages between data, bodies and identities.

Bishakha Datta, Executive Director, Point of View suggested re-configure the gender dynamics to make access to online spaces unconditional for women through thinking about it dually in the context of both patriarchy and gender roles.

N.S Nappinai, Supreme Court Advocate and founder, Cyber Saathi noted that in cases on cybercrimes against women it is the victim who ends up being alone and stigmatised rather than the perpetrator. She suggested to have precise laws in place along with effective enforcement.

www.youtube.com/watch?v=QYtGWWpx9vY&feature=youtu.be

Human Capital Innovation

India's Roadmap for Dignified Economic Growth

CUTS International organised a webinar on "Human Capital Innovation: India's Roadmap for Dignified Economic Growth" on October 20, 2020.

The objective of this webinar was to bring together perspectives from the industry, worker-community and academia to deliberate on the roadmap for reimagining workers as 'human capital' rather than 'cost of production'.

While giving introductory remarks, Mehta remarked that the productivity of human capital is directly proportional to its well-being. The capacity of human capital including its social, political and economic well-being act as a major driving factor in the growth of an enterprise and economy as a whole.

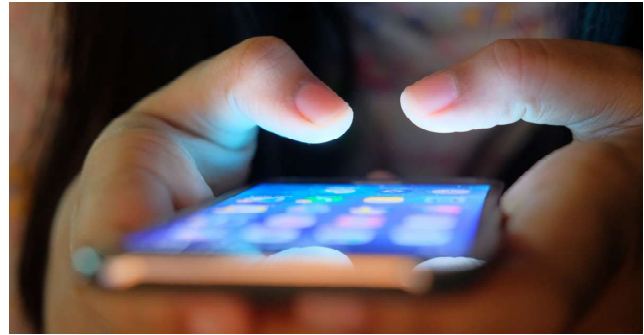
Virjesh Upadhyay, General Secretary, Bhartiya Majdoor Sangh; Sumita Ghose, Founder and Managing Director, Rangсутra; Rituparna Chakraborty, Co-Founder and Executive Vice President, TeamLease; Bharat Wakhlu, Founder and President, The Wakhlu Advisory and Sanjay Srivastava, Business Thought Leader and Strategic Advisor were the eminent speakers.

www.youtube.com/watch?v=oITJWBGBLMU&feature=youtu.be



Privacy in Mobile Applications

On the occasion of Safer Internet Day 2021, CUTS International hosted an online conversation between Deepak Maheshwari, Distinguished Fellow, CUTS International and Shivangi Nadkarni, CEO and Co-Founder of Arrka on February 09, 2021, to shed light on important privacy issues while using mobile applications and put forward suggestions to address the same.



The conversation highlighted privacy issues with respect to instant messaging, fintech and usage of super applications, such as sharing of metadata, sharing sensitive financial data and inadvertent data sharing with a third-party application. Furthermore, it was stressed that these concerns become even more pertinent for children's privacy with the increasing use of ed-tech applications and other mobile applications, which puts them at a greater risk.

The interaction also brought forth the importance of giving a choice to consumers so that they can have greater control of their data. Additionally, it was also recommended that consumers should avoid downloading applications from unauthorised app stores and websites and should re-check the permissions of existing applications on their phones.

<https://cuts-ccier.org/online-session-on-privacy-in-mobile-applications/>

Beyond Ease of Doing Business Rankings

CUTS International and SKOCH Group organised a webinar on "Beyond Ease of Doing Business Rankings" on January 16, 2021, to deliberate on short-term and long-term solutions to a better regulatory architecture aimed at facilitating ease of doing business reforms.



This was the third webinar of the series. The previous two webinars were organised on July 25, 2020, and September 12, 2020, respectively.

While speaking during the session Suresh Prabhu, Member, Rajya Sabha, pointed out that entrepreneurs take risks despite several externalities. They should be honoured for their contribution to society and not subject to additional externalities in the form of unwarranted and unnecessary intrusions by the state.

Prabhu also conferred the SKOCH Challenger Award to Pradeep S Mehta, Secretary General, CUTS International, to contribute to public policy on competition and lauded his role in bringing vibrancy into public policy space.

Other key speakers in the webinar were: Sameer Kochhar, Chairman, SKOCH Group; Manish Sabharwal, Founder, Teamlease; Srinivas Rao, CEO, Global Alliance for Mass Entrepreneurship (GAME) and Reema Nanavatya, CEO, Self-Employed Women's Association.

<https://cuts-ccier.org/webinar-on-beyond-ease-of-doing-business-rankings/>



Draft Policy Framework for Developing and Promoting Distributed Renewable Energy (DRE) Livelihood Applications

The Government of India has done tremendous work in connecting and covering a major part of rural households under the electricity grid. However, many areas still require proper access to affordable and sustainable energy for sustainable economic activities. Through this policy, the Ministry of New and Renewable energy (MNRE) rightly addressed this critical issue. DRE interventions are required to be promoted and scaled up not only for livelihood generation but also for fostering a vibrant market for its long-term sustainability.

With DRE intervention, the gender imbalance can also be addressed with a large number of women-centered and women-specific livelihood generations in rural areas. CUTS International further analysed the draft policy and submitted its comments and suggestions to the Ministry.

<https://cuts-ccier.org/pdf/comments-on-the-mnre-draft-policy-framework-for-developing-and-promoting-dre-livelihood-applications.pdf>

Revised Report of the Committee of Experts on Non-Personal Data Governance Framework

There have been several positive developments and changes in the revised report when compared to the first report by the committee of experts. It is appreciable that the committee has taken a relatively broader and open view and has clarified that data sharing between private entities is not under its ambit and also excluded data processors.

Furthermore, the committee has tried to give much-required clarity on mixed datasets and overlap with the Personal Data Protection Bill 2019 (PDP Bill). Given that there are several positive changes in the report intended to promote innovation and public benefits from data, CUTS International submitted some recommendations on the revised report for the committee's consideration to achieve these objectives. Briefly, these relate to:

- Undertake cost-benefit analysis
- Ensure consumer welfare
- Rationalise public interest purpose
- Reimagine community rights framework
- Experiment with voluntary frameworks which appropriately incentivise data sharing
- Minimise regulatory overlap and maximize regulatory collaboration

https://cuts-ccier.org/pdf/comments-on-revised_npd-governance-framework.pdf

Response to Niti Aayog's Draft Guiding Principle for the Uniform National-Level Regulation of Online Fantasy Sports Platforms in India

Niti Aayog invited comments and suggestions on the draft Guiding Principle for the Uniform National-Level Regulation of Online Fantasy Sports Platforms in India (draft principles).

CUTS International observed a few critical issues in the draft principles, impeding the chase to their objectives and proposing some suggestions.

<https://cuts-ccier.org/pdf/comments-on-principles-for-online-fantasy-sports-platforms.pdf>



Publications

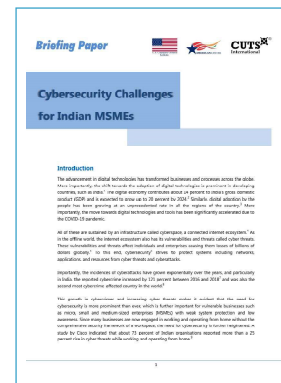
Briefing Paper

Cybersecurity Challenges for Indian MSMEs

The advancement in digital technologies has transformed businesses and processes across the globe. More importantly, the shift towards adopting digital technologies is prominent in developing countries, such as India. The digital economy contributes about 14 percent to India's gross domestic product (GDP) and is expected to grow up to 20 percent by 2024. Similarly, digital adoption by the people has been growing at an unprecedented rate in all the country's regions. More importantly, the move towards digital technologies and tools has been significantly accelerated due to the COVID-19 pandemic.

All of these are sustained by an infrastructure called cyberspace, a connected internet ecosystem. As in the offline world, the internet ecosystem also has its vulnerabilities and threats called cyber threats. These vulnerabilities and threats affect individuals and enterprises, causing them losses of billions of dollars globally. To this end, cybersecurity strives to protect systems, including networks, applications, and resources, from cyber threats and cyberattacks.

<https://cuts-crc.org/pdf/briefing-paper-cybersecurity-challenges-for-indian-msmes.pdf>



Research Reports



Survey Findings: Understanding Consumers Perspective on Encryption

The study's primary objective is to bring forth a consumer perspective on secured communication services and E2E Encryption. This was done by checking consumers:

- Awareness, perception, experience, and utility derived from using secured communication services;
- Exposure towards problematic content on E2E Encrypted services.
- Reaction wrt usage of and trust on E2E Encrypted Instant Messaging Services, in case encryption, is removed

<https://cuts-ccier.org/pdf/survey-finding-understanding-consumers-perspective-on-encryption.pdf>



Representations

- Setu Bandh Upadhyay attended a virtual panel discussion on the recently notified Information Technology (Intermediaries Guidelines and Digital Media Ethics Code) Rules, 2021 titled 'Public Square or Walled Garden? A Conversation on India's New Internet Regulations'. The event was organised by the Centre for Communication Governance at NLU Delhi on March 24, 2021.
- Krithika Subramanian attended a webinar on "Coal is gold, but for how long?" organised by ET Prime on March 12, 2021.
- Amol Kulkarni and Sarthak Shukla participated in the first pre-budget consultation meeting with NGOs organised by the Government of Rajasthan on January 23, 2021, and presented a 'Jobs Framework for Rajasthan'.



Advocacy through Media

IT Rules shy away from preserving encryption

Economic Times, March 22, 2021

By Pradeep S. Mehta

Many of us use WhatsApp and as soon as one opens it, a reassuring message crops up that all messages are encrypted, and even the provider cannot access your messages, thus asserting our right to privacy. Alas, this is under attack by the government's proposals to bring in to regulate cyberspace. One hopes that this will not happen in view of the 2017 order of the apex court upholding the right to privacy as a fundamental right.

<https://cuts-ccier.org/it-rules-shy-away-from-preserving-encryption/>

People's acceptance is the key towards multi-stakeholder led approach of development

Economic Times, March 06, 2021

By Pradeep S. Mehta and Prashant Tak

The last budget was quite a change from its earlier versions. It was bold, transparent and growth-oriented. Even the Prime Minister's pronouncements, who stated that their government would be market-friendly, not just business-friendly, was a breath of fresh air. However, the PM recognised that the private sector would have a big role and secondly, that many non-strategic public sector units will be privatised thus expanding the size of the private sector. In both these growth areas, we interpret the government's thrust will be towards stakeholder capitalism and not shareholder capitalism. One common stakeholder in both areas who will be affected is labour, among others.

<https://cuts-ccier.org/peoples-acceptance-is-the-key-towards-multi-stakeholder-led-approach-of-development/>

How Can India's Judiciary be More Economically Responsible?

The Wire, February 26, 2021

By Pradeep S. Mehta

In India, and indeed many countries worldwide, development work is seen at a crossroads with protecting the world's natural environment. Agriculture is the oldest and biggest intrusion into nature, which has historically upset our ecological equilibrium. Besides this, forests have to be cut down; rivers have to be dammed to provide irrigation. All this, and more, is done to enable our people to grow food, clothe themselves and provide shelter.

Inside Sterlite Copper case: People, the big casualty of the transition from prot to planet

Economic Times, February 19, 2021

By Pradeep S. Mehta and Sakhi Shah

The debate of balancing human rights and economic rights is not a new one. Perhaps one of the oldest facets of this dichotomy is how to harmonise the environment and individual economic and livelihood rights. Almost all policies and decisions by the three branches of the government in attempting to address this gulf have been inclined towards environmental over economic concerns. However, the wisdom of these decisions is questionable since people's livelihoods do not get the same attention. In such situations, we need to ensure that benefits outweigh costs when applying for a cease order.

<https://cuts-ccier.org/inside-sterlite-copper-case-people-the-big-casualty-of-the-transition-from-prot-to-planet/>

It's time to reform how India spends borrowed money

Mint, February 11, 2021

By Pradeep S. Mehta

India's big expenditure plans are laudable, but resources must be used efficiently. Our interest payments exceed productive spending, which often falls short of its target. This must change. A debt burden is worthwhile only if it works well for our economy. We should diversify funding sources, improve tax administration, and set up a fiscal council to guide governments.

<https://cuts-ccier.org/its-time-to-reform-how-india-spends-borrowed-money/>

Termites and un-ease of doing business

Times of India, February 05, 2021

By Pradeep S. Mehta

Corruption in India has grown to gargantuan proportions, despite the fact that it is not so visible in high places. It saps the economy and causes delays and discomfort in everything that we do, or try to do. Accountability is absent, with the result that corruption and non-performance expand exponentially. Our CM, Ashok Gehlot, did say that corruption and indiscipline will not be tolerated.

Undoubtedly, Gehlot is sincere, but the ecosystem has already got so corrupted that little will happen to improve it unless he takes some drastic measures.

<https://cuts-ccier.org/termites-and-un-ease-of-doing-business/>

Vaccination plan for an ailing Indian economy: Job creation agenda needs a reset

Economic Times, January 29, 2021

By Pradeep S. Mehta and Sarthak Shukla

As we eagerly wait for a historic budget in the once-in-a-lifetime situation of COVID-19, the issue of resilience, both economic and societal, becomes extremely significant going forward. While the coronavirus vaccination programme is being touted aggressively, we need to provide an aggressive economic vaccine to the budget, which can help us create more and better jobs for our youth.

<https://cuts-ccier.org/vaccination-plan-for-an-ailing-indian-economy-job-creation-agenda-needs-a-reset/>

The Public Good Dilemma in Non-Personal Data Sharing

Smart Governance, January 28, 2021

By Shubhangi Heda

The recently released revised report of the Non-Personal Data Governance Framework expert committee laudably proposes a framework for sharing non-personal data for public interest purposes. For this, the committee specifically focuses on high-value datasets (HVD) as specific datasets of non-personal data that are beneficial to community and would be shared as a public good, subject to certain guidelines prescribed by the report.

<https://cuts-ccier.org/the-public-good-dilemma-in-non-personal-data-sharing/>

Adding an 'E' to your 'Vehicles': Prospects of Electric Mobility in Rajasthan

Clean Mobility Shift, January 06, 2021

By Sarthak Shukla

Many residents in bustling cities across India woke up to clean air, blue skies and deserted roads during the COVID-induced lockdown – something they generally are not used to experiencing. However, this relief was short-lived as the lifting of lockdown in various phases brought back the status quo of air pollution and traffic congestion.

<https://cuts-ccier.org/adding-an-e-to-your-vehicles-prospects-of-electric-mobility-in-rajasthan/>