

CUTS CCIER ACTIVITIES REPORT

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International

JANUARY-MARCH
2022

Discussion on Data Protection Bill 2021 *Deciphering the Privacy & Rights of Minors*

CUTS International, Cyber Cafe Association of India (CCAOI), and Internet Society Delhi Chapter (ISOC Delhi) jointly organised a webinar on “Data Protection Bill 2021: Deciphering the Privacy & Rights of Minors” on January 18, 2022.

The objective of the discussion was to discuss the provisions related to the processing of data on minors, identify areas that need to be refined, and then deliberate on what constructive regulations/codes of practice should look like for minors’ privacy.

Manish Tewari, Hon’ble Member of Parliament (MP) and Member of Joint Parliamentary Committee (JPC), and Amar Patnaik, Hon’ble MP



and Member of JPC, were the keynote speakers.

Sreenidhi Srinivasan, Principal Associate, Ikigai Law; S Chandrasekhar, Head, Digital and Cyber Practice, K&S Partners; Uthara Ganesh, Head, Public Policy India, Snapchat; Nikhil Pahwa, Founder, MediaNama;

Aparajita Bharti, Co-Founder, Young Leaders for Active Citizenship (YLAC) and Amol Kulkarni, Director (Research) CUTS International were the notable speakers in the session which was moderated by Amrita Choudhury, Director, CCAOI.

<https://cuts-ccier.org/ccaoi-cuts-and-isoc-delhi-discussion-on-data-protection-bill-2021/>



Advocacy

CUTS comments on Business Enabling Environment Pre-Concept Note

The World Bank Group is formulating a new approach to assess the business and investment climate in economies worldwide. Comments on Business Enabling Environment (BEE) proposed pre-concept note were invited by the World Bank Group. The intended flagship data and report will be designed, piloted, and implemented. CUTS International provided its detailed comments and suggestions.

<https://cuts-ccier.org/pdf/comments-on-business-enabling-environment-bee-pre-concept-note-consultation.pdf>



Advocacy

CUTS Comments on Draft National Policy for Micro, Small, and Medium Enterprises

The Ministry of Micro, Small, and Medium Enterprises (MSMEs) has released the draft National Policy for MSMEs in India, proposing multiple measures to promote competitiveness, technology up-gradation, cluster and infrastructure development, procurement of MSME products, and dedicated credit support. India does not have an MSME policy to date. However, efforts have been underway since around 2015 by the Ministry of MSME to help formulate the policy.

CUTS has recommended the Three-Step Framework to identify and reduce compliances, resulting in an efficient process and Ease of Doing Business (EoDB) for the MSMEs. CUTS proposes best practices for Cybersafety of MSMEs regarding the proposed adoption of the technology. It has further identified the need for Skill development to include skilling and upskilling, and reskilling.

<https://cuts-ccier.org/pdf/comments-draft-national-policy-for-micro-small-and-medium-enterprises-in-india.pdf>

CUTS Comments on NITI Aayog's Discussion Paper on "DIGITAL BANKS: A Proposal for Licensing & Regulatory Regime for India"

NITI Aayog invited comments on the discussion paper on 'DIGITAL BANKS: A Proposal for Licensing & Regulatory Regime for India.' The proposed Digital Banks framework intends to fulfill the credit gap for MSMEs and other vulnerable sections. India is ready for its open bank framework after the success of UPI, India Stack, and other initiatives in the digital financial sector.

CUTS believes that digital banks are a step toward innovation and will lead to financial inclusion and innovation. CUTS proposes that the rights of consumers in terms of digital financial literacy, awareness, and privacy should be cornerstones in this new banking framework. CUTS also suggests that the proposed framework should create a playing field for traditional incumbent and digital banks.

<https://cuts-ccier.org/pdf/cuts-comments-niti-aayog-digital-banks.pdf>



Publications

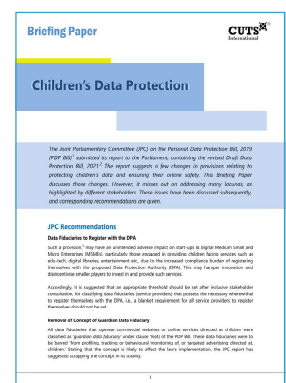
Briefing Paper

Children's Data Protection

The Joint Parliamentary Committee (JPC) on the Personal Data Protection Bill, 2019 (PDP Bill) submitted its report to the Parliament, containing the revised Draft Data Protection Bill, 2021. The report suggests a few changes in provisions relating to protecting children's data and ensuring their online safety.

This Briefing Paper discusses those changes. However, it misses addressing many lacunas, as highlighted by different stakeholders. These issues have been discussed subsequently, and corresponding recommendations are given.

<https://cuts-ccier.org/pdf/bp-childrens-data-protection.pdf>





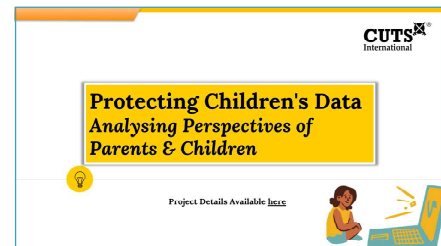
Publications

Slide Deck

Protecting Children's Data *Analysing Perspectives of Parents & Children*

Digital technology-driven data-based services have become a part of the daily lives of most consumers. However, digital services also pose risks to consumers, especially children, on various issues, including inadequate privacy and data protection. Accordingly, protecting children's data has rightly been given special attention under the Personal Data Protection Bill 2019 (PDP Bill). However, despite having the right intention, select provisions are believed to have the potential to do more harm than good. These have been discussed in the next slide.

In this regard, CUTS International has undertaken a study titled 'Highlighting Inclusive and Practical Mechanisms to Protect Children's Data,' which aims to highlight the perspectives of parents and young users on such select provisions of the PDP Bill. For the same, CUTS conducted a pan-India survey of 600 young users (16 and 17-year-olds), and 600 parents had a child aged between 13 to 17 years of age.



<https://cuts-ccier.org/pdf/slide-deck-protecting-childrens-data-analysing-perspectives-of-parents-children.pdf>

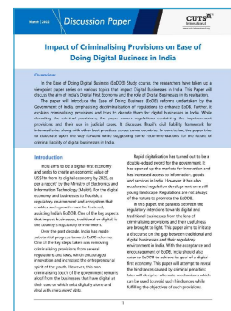
Discussion Papers

Impact of Criminalising Provisions on Ease of Doing Digital Business in India

In furtherance of its efforts in promoting a digital economy for consumer welfare, CUTS has undertaken a study titled 'Ease of doing Digital Business in India.' CUTS is releasing a discussion paper series, and the first paper in this series is titled 'Impact of Criminalising Provisions on Ease of Doing Digital Business in India.'

To promote EoDB, the Government of India has decriminalised various laws and regulations for traditional businesses, and this is not the case for digital businesses. Through this paper, CUTS has assessed various regulations and laws targeted toward digital businesses which contain criminalising provisions.

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

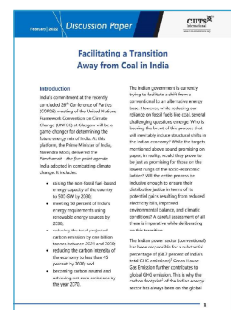


Facilitating a Transition Away from Coal in India

The Indian government is currently trying to facilitate a shift from a conventional to an alternative energy base. However, while reducing our reliance on fossil fuels like coal, several challenging questions emerge: Who is bearing the brunt of this process that will inevitably induce structural shifts in the Indian economy?

While this transition mentioned above sound promising on paper, in reality, would they prove to be just as promising for those on the lowest rungs of the socio-economic ladder? Will the entire process be inclusive enough to ensure their distributive justice in terms of potential gains resulting from reduced electricity bills, improved environmental balance, and climatic conditions? This CUTS Discussion Paper deliberates upon these challenges.

<https://cuts-ccier.org/pdf/discussion-paper-enabling-just-transition-in-indias-power-generation-sector.pdf>





Publications

Prospect of Pumped Storage Projects as Alternative Energy Storage

With the world gradually transitioning to clean energy, several challenging questions emerge, such as – whether or not we have modern technologies at our disposal. If indigenisation of such technologies can reduce cost, what are the alternatives, and who bears the brunt of this transition? Whether this transition to a low-carbon growth trajectory translates into a more ‘just economy’ compared to the ‘fossil fuel economy’ that it intends to replace, etc. The ongoing discourse around energy transition in India also accords importance to ensuring distributive justice to all stakeholders as one of its primary objectives.

In light of these pressing questions, this Discussion Paper attempts to look at the clean energy ‘coin’ by highlighting the Pumped Storage Hydropower (PSH) project(s) in the Purulia district of West Bengal – their prospect in energy transition and possible impact on the indigenous population of the region bearing the cost of these clean energy projects through the loss of their cultural property, identity, and traditional livelihoods.

<https://cuts-ccier.org/pdf/discussion-paper-on-prospects-of-pumped-storage-in-energy-transition.pdf>



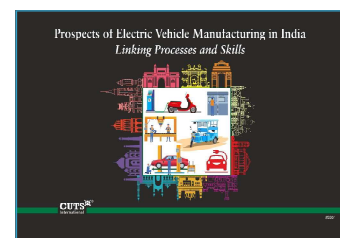
Research Reports

Prospects of Electric Vehicle Manufacturing in India: *Linking Processes and Skills*

Electric Vehicles (EV) are set to be a game-changer in India's transport sector decarbonisation efforts. But one of the major roadblocks to EV production is the significant dependence on international supply chains for raw materials and components. Keeping in mind India's electrification targets and push for indigenisation of EV manufacturing, CUTS International and FES India embarked on a study on ‘Exploring the Potential of E-mobility as a Booster for Local Economy and Livelihoods in India.’

Based on the interactions with diverse stakeholders from two important clusters of India's EV manufacturing ecosystem, CUTS has developed a report that captures the current status, challenges, and prospects of EV manufacturing in the country through interesting infographics.

https://www.cuts-ccier.org/pdf/prospects_of_electric_vehicle_manufacturing_in_india_linking_processes_and_skills.pdf



Status of E-Consumers in India: Consumer Welfare Index

E-commerce is growing at an unprecedented pace, both in India and globally. Such growth is fuelled by the COVID-19 pandemic, which saw an uptake in consumers transitioning to online shopping to ensure greater safety and social distancing. However, some concerns keep consumers from onboarding the e-commerce platforms, which revolve around data protection and privacy, product safety, counterfeit goods, lack of grievance redress system, language barriers, and predatory pricing, among other things.

In this regard, CUTS International undertook a two-year project to gauge the status of e-consumers while studying the e-commerce ecosystem in India. A total of 2254 respondents were surveyed during the study.



<https://cuts-ccier.org/pdf/seci-consumer-welfare-index.pdf>



Representations

- Amol Kulkarni was one of the speakers at a session on “Debt Policies and Relief: Financial Consumer Protection in the Age of Digital Lending” during the Fair Digital Finance Forum, organised by Consumers International on March 15, 2022, in partnership with the Global Alliance for Legal Aid and Advocates for International Development.
- Amol Kulkarni and Rajshree Agarwal participated in the pre-budget consultation meeting with NGOs organised by the Government of Rajasthan on January 07, 2022, and presented a ‘Jobs Framework for Rajasthan.’



Advocacy through Media

A rich India without Indians getting rich: Why ‘worker welfare’ is an important determinant of investment decisions

The Economic Times, March 28, 2022

By Pradeep S Mehta and Tanya Goyal

India is at the cusp of economic transformation, laying the foundation for building a better and sustainable work environment. More so to have a swift recovery from the Covid pandemic, which has hugely impacted our jobs market. Though the overall investment in productive sectors in India is rising, the distribution of the gains is skewed.

<https://cuts-ccier.org/a-rich-india-without-indians-getting-rich-why-worker-welfare-is-an-important-determinant-of-investment-decisions/>

Ease of doing business 2.0: Ask the right questions

Livemint, March 23, 2022

By Pradeep S Mehta

For Ease of Doing Business (EoDB) 2.0, the government must ask three questions about every existing and proposed compliance: Is it legitimate? Is it necessary? And, is it proportionate? Only if a requirement passes all three tests should it be retained or added to Indian statute books; else, it should be junked. Asking these questions would also be the key to improvements in India on our ease of living.

<https://cuts-ccier.org/ease-of-doing-business-2-0-ask-the-right-questions/>

For India, a sector-specific selection procedure must be adopted

The Economic Times, March 08, 2022

By Vijay L Kelkar, Pradeep S Mehta

India will soon be taking over the presidency of the G20 in 2023. This means it has to show, among other things, its best in economic governance systems, which are comparable to advanced countries’ systems. So, as Gol is gearing up to elect a new head of the Insurance Regulatory and Development Authority (IRDA), it may be useful to look at an International Monetary Fund (IMF) working paper highlighting how the independence of regulatory agencies matters for good governance and financial sector stability, for the same reasons as the independence of central bank matters for monetary stability.

<https://cuts-ccier.org/for-india-a-sector-specific-selection-procedure-must-be-adopted/>

Budget 2022: A growth-oriented approach to “Amrut Kal”

The South Asian Times, February 21, 2022

By Pradeep S Mehta and Neelanjana Sharma

India’s economy, if looked at from a realistic perspective, is one of the youngest in the world. We became independent in 1947 and a republic in 1950. Furthermore, until 1991, India was a closed economy when the economic reforms, better known as Liberalisation, Privatisation, and Globalisation, were introduced. Yet, India is one of the fastest-growing economies currently. It will also remain the fastest-growing major economy in the world during 2021-24, as per World Bank and International Monetary Fund (IMF).

<https://cuts-ccier.org/budget-2022-a-growth-oriented-approach-to-amrut-kal/>

5G rollout and aviation safety: Need solutions over the long term

The Asian Age, February 17, 2022

By Pradeep S Mehta and Sidharth Narayan

The recent fiasco concerning 5G telecom services and civil aviation safety and security in the United States has been resolved for the time being, after some patchwork measures. Flights from other countries have now resumed, and other aviation authorities have confirmed that the issue was specific to the US. The Telecom Regulatory Authority of India (TRAI) has clarified that this problem does not exist in India. Even though we are yet to roll out the 5G networks, the problem would not arise.

<https://cuts-ccier.org/5g-rollout-and-aviation-safety-need-solutions-over-long-term/>

It's time for the world to reform capitalism from within

Livemint, January 17, 2022

By Pradeep S Mehta

We witnessed capitalism in all its colours during the pandemic. It was able to incentivise science to develop and produce vaccines for the entire world in record time. The same capitalism has disincentivised the appropriate allocation and availability of vaccines to the world's poorest and most vulnerable, leading to both hope and despair. Market-based economies have a lot of shortcomings, but we must not overlook their benefits. It's time to reform capitalism from within.

<https://cuts-ccier.org/its-time-for-the-world-to-reform-capitalism-from-within/>

Farm reforms: Myths and realities

The Economic Times, January 12, 2022

By Pradeep S Mehta, Ujjwal Kumar, and Kuldeep Panwar

The repeal of the three newly enacted farm laws by the government has set back the whole reform process. Because it could not explain the benefits to some farmers, it has also engendered fresh thinking about the reform process. How do we garner wider support for the reform agenda? The three farm laws were enacted to reform agriculture markets, controlled mainly by the state Agriculture Produce Marketing Committees (APMCs). These APMCs, by default, act as regulatory barriers to competition in the agriculture market.

<https://cuts-ccier.org/farm-reforms-myths-and-realities/>

Regulatory Reforms 2.0 for Ease of Doing Business

TeamLease Regtech, January 06, 2022

By Rajshree Agarwal and Amol Kulkarni

India's regulatory environment is constantly evolving. The government has repeatedly highlighted its efforts to promote transparency and timeliness in granting clearances. Several states and, most recently, the central government have set up an online single window system. At the same time, new requirements are being introduced, mainly to deal with technological developments and related risks.

<https://cuts-ccier.org/regulatory-reforms-2-0-for-ease-of-doing-business/>