

Agenda for the Round Table on Data Protection – Bangalore, 25th September, 2018 at the Hyatt Centric Hotel, MG Road (10.30 am to 4.30 pm)

No.	Time	Session
1.	10.30 am – 10.45 am	Registration (Tea)
2.	10.45 am – 11.00 am	Introduction
3.	11.00 am – 12.30 pm	Session I – Data Protection Principles (Rights and Obligations) <ul style="list-style-type: none"> • <i>Is the ‘Notice and Consent’ regime, as established under the Bill, sufficient to protect user rights?</i> • <i>Are State exemptions in line with the right to privacy, as espoused by the Supreme Court in Puttaswamy?</i> • <i>Is establishment of a strict parental consent model the way forward for the processing of children’s personal data?</i> • <i>Is the Right to Be Forgotten meaningless without the Right to Erasure?</i> • <i>What is the meaning of ‘fair and reasonable processing’?</i> • <i>Is the grievance redressal mechanism too onerous for data principals as it is based upon the proof of harm?</i>
4.	12.30 pm – 1.00 pm	Lunch Break
5.	1.00 pm – 2.30 pm	Session II – Data Localisation <ul style="list-style-type: none"> • <i>Are reasons given for data localisation such as – effective enforcement, growth of the digital economy and AI, vulnerabilities in the fiber optic cables, and preventing foreign surveillance justified?</i> • <i>What are some of the major economic and technological impacts of data localisation? Will such a move hurt start-ups?</i> • <i>Can India not mandate data localisation to protect its sovereignty?</i> • <i>What are the alternatives to data localisation – Strengthening the MLAT process or signing bi-lateral agreements under the US Cloud Act?</i>
6.	2.30 pm – 2.45 pm	Tea Break
7.	2.45 pm – 4.00 pm	Session III – Administration and Enforcement <ul style="list-style-type: none"> • <i>Is the Data Protection Authority of India truly an independent regulatory body? The Central Govt. has been given wide powers of - appointment/ removal of key personnel, issuance of directions and funding, under the draft Bill.</i> • <i>The establishment of the Appellate Tribunal along with selection, appointment and removal of personnel, has been delegated to the Central Govt. under the draft Bill. Will this effect the independence of the Tribunal?</i> • <i>The Bill has not adequately incorporated the ‘Responsive Regulatory’ framework as envisaged under the Srikrishna Committee Report. Will such a framework lead to better regulation and enforcement of an overarching statute?</i>
8.	4.00 pm – 4.30 pm	Parting Remarks <ul style="list-style-type: none"> • <i>Beyond the current consultative process, what are some of the alternate policy interventions required for a robust data protection and privacy law in India?</i> • <i>How can we help and learn from each other?</i>