

Privacy Bulletin | APRIL 2017

Updates on Privacy by the Centre for Internet and Society

PRIVACY IN NEWS

- The Indian Government has **promised** the Supreme Court that it is developing a regulatory regime for data protection in connection with the privacy policies of applications like WhatsApp. The government also agreed to protect the Constitutional freedom of choice of such data users.
- Amidst a massive leak of Aadhaar data, including the leak of MS Dhoni's Aadhaar Data from a contracted organisation aiding in its collection, the CEO of NITI Aayog Amitabh Kant **stated** that the Aadhaar Act had extremely strong data protection provisions, and that data analytics were indispensable for development.
- The Bangalore City Police closed the account for public view, after publishing almost 46,000 tweets containing personal information like phone numbers and names of complainants who called the 100 helpline or used the Suraksha Mobile App. Officials **said** that privacy of the complainant was not a consideration as the accused would know who the complainant was. However, officials would be held responsible if harm came to complainants.

BLOGS & SUBMISSIONS

Aadhaar Case: Beyond Privacy, An Issue of Bodily Integrity

By AMBER SINHA AND AARADHYA SETHIA

Notwithstanding the wavering position of the Indian Supreme Court on the right to privacy and the stipulation that Aadhaar must be strictly voluntary, s.139AA of the IT Act, inserted by the Finance Act, 2017 makes Aadhaar compulsory for applying for PAN cards and filing income tax returns. This **post** questions the Constitutional validity of the provision in light of the previous judgements and on going cases in light of the expansion of the right to privacy under Article 21, in its various layers, beyond the realm of bodily integrity.

Privacy in the age of Big Data

By AMBER SINHA

With the evolution of the "*infinitely complex and labyrinthine data ecosystem*" the rate of data protection and quantity of data produced is so large that it contains large amounts of personal information. This **post** analyses the very origins of our rights of privacy, and the slow detachment of individual autonomy in terms of data privacy.

Amber Sinha also analyses Aadhaar and the other steps taken by the Government of India which warrant consideration, in the realm of privacy and big data.

Aadhaar marks a fundamental shift in citizen-state relations: From 'We the People' to 'We the Government'

BY PRANESH PRAKASH

Pranesh Prakash looks at the evolution of Aadhaar from a voluntary tool, into a "behemoth being mandatory for hundreds of government programs". In this **post**, he highlights security and privacy concerns with the collection, storage, sharing and misuse of data which contains extremely personal details of an individual like biometrics. He shares concerns over the evolution of a welfare state into a surveillance hegemon.

Analysis of Key Provisions of the Aadhaar Act Regulations

BY AMBER SINHA; EDITED BY ELONNAI HICKOK

Amber Sinha **reviews** the key provisions of the rules governing the Unique Identification Development Authority of India (UIDAI) and the provisions of the Aadhaar Act, 2016.

How Aadhaar compromises privacy? And how to fix it?

BY SUNIL ABRAHAM

Sunil Abraham **provides** three constructive modifications to the Aadhaar project in order to aid its technical competence, without eliminating the surveillance potential. He underlines how mindless surveillance undermines privacy without increasing security tangibly.

EVENTS

EVENTS ATTENDED

ISO/IEC JTC1/SC 27 Meetings

CIS participated in the ISO/IEC JTC 1/ SC 27 Working Group meetings organized by Bureau of Indian Standards; University of Waikato and Novotel in New Zealand during April 18 - 25, 2017. Udbhav Tiwari attended the meetings in Working Group 1 - Information security management systems and Working Group 5 - Identity management and privacy technologies.

Digital Identity Symposium

Pranesh Prakash and Sunil Abraham attended a Symposium on Digital Identity (Caribou Digital) at Bangalore International Center.

Digital Locker Workshop

Pranesh Prakash attended a Workshop on Digital Locker on April 7, 2017 in Bangalore.

CIS IN NEWS

Analysis: Data Protection in India - Getting It Right

APRIL 26, 2017

The **blog post** dealt with the nuances of data protection frameworks in India. Pranesh Prakash was quoted.

Now, Aadhaar details displayed in Mizoram too

APRIL 26, 2017

The National Herald **covers** yet another case of the leakage of Aadhaar data this time in Mizoram. Sunil Abraham was quoted.

Aadhaar: A widening net

APRIL 21, 2017

Livemint **analysed** the expansion of the Aadhaar card into a surveillance program. Pranesh Prakash was quoted.

Opposition questions govt move to make Aadhaar must

APRIL 11, 2017

Pranesh Prakash was quoted in an **article** analysing the politicisation of the Aadhaar Card, without giving due consideration to its technical aspects

Privacy, what? Bengaluru police leaks 46,000 phone numbers on Twitter

APRIL 6, 2017

The **article** sheds light on the alarming move by the Bengaluru Police to publicise all the details of their complainants for a given stretch of time. Pranesh Prakash was quoted.

India's National ID Program May Be Turning The Country Into A Surveillance State

APRIL 4, 2017

This **blogpost** on the modification of the Aadhaar's objectives quoted Sunil Abraham on his critique of the Aadhaar policies.