



Free Software Movement of India

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In favour of Publication

Enact a strong data protection law

The recent controversy over the profiling of millions by consulting firm Cambridge Analytica using the 'stolen' data of Facebook users has come to India with the IT Minister giving belligerent statements about summoning Mark Zuckerberg. The issue yet again demonstrates the risks of the business model of companies like Facebook, which harvest user data in large quantities without any accountability.

In the Indian context, a few key points need to be emphasised. IT Minister Ravi Shankar Prasad's promise of "stringent action" against Facebook rings hollow in the absence of strong data protection laws or procedures. The Srikrishna Committee, which is to frame data protection laws, has raised concerns about the enforcement mechanism for the existing Information Technology (Reasonable Security Practices and Sensitive Personal Data or Information) Rules, 2011. Meanwhile, instances of leak of Aadhaar data raise further questions, which have not been addressed properly. The Free Software Movement of India (FSMI) demands that a strong data protection law be enacted immediately to safeguard the information of all Indians.

Mr. Prasad's concerns about the privacy of Indians also come months after his government argued in court that privacy is not a fundamental right. Even now, the government persists in posing privacy as the concern of an 'elite' section of society and activists.

The Minister's statement also ignores how the government has embraced data giants such as Google and Facebook, an example of which is the latter's involvement in voter registration. There is little transparency in such initiatives, especially with regard to the kind of data the companies collect. The expose by Channel 4 of Cambridge Analytica's methods shows how insights from data can be used to run polarising campaigns. We see this daily through the fake news spread through social media platforms. Cambridge Analytica's Indian partner, Ovleno Business Intelligence, should be investigated and all parties associated with it should come clean on their links with the group.

FSMI calls on the government to take up the question of privacy, data protection and digital rights in a comprehensive manner and also investigate those who threaten democracy in India.

Yours Sincerely

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