



Dated: 31st January 2018

To,

Srikrishna Committee on Data Protection

Sub: Digital Empowerment Foundation's comments on Data Protection in India

Dear esteemed members of the committee,

Digital Empowerment Foundation is a non-profit based in New Delhi that strives to provide internet connectivity and digital literacy to those living in rural, unconnected parts in India. DEF has 150 locations spread across 80 districts of 22 states in India through common access points called Community Information Resource Centres (CIRCs). These community-owned and community-managed access points also enable DEF to roll out various other digital interventions across several dimensions with the overarching goal of empowering citizens, governments, businesses and civil society organisations.

Over the years working at the grassroots, in rural areas with large semi-literate or illiterate populations, we have learned the importance of having a robust data protection law that will protect the most vulnerable. The Digital India project and UIDAI's Aadhaar scheme have been planned keeping in mind efficient delivery of services to these populations. With little recourse to legal redressal, it is this group of citizens that are most vulnerable to surveillance, the fallout of security breaches, and human rights violations.

In instances where biometric information is collected, it needs to be protected stringently. Biometric information stays the same for life with no avenues for changing it once made vulnerable, the way passwords are changed when they are leaked or hacked. Hence the need for rigorous protection.

Additionally census data, population data, data collected as part of India Stack initiative should fall under the purview of the Data Protection law and subject to the same restrictions and penalties. The initiatives proposed in *The collection of statistics (Amendment) Bill 2017* and *Human DNA Profiling – A draft Bill for the Use and Regulation of DNA-Based Technology* should be, if passed, added under the purview of the Data Protection Law. Data collected for these initiatives are sensitive and can be used to discriminate against certain individuals or groups. Preventing the misuse and/or breach of such data should be paramount and illicit strong penalties.

We do hope you will consider our comments and include them in your final decision.

This has been prepared by the Research and Advocacy division of Digital Empowerment Foundation.

Thanking you,

Yours sincerely,

A handwritten signature in blue ink that reads "Osama Manzar". The signature is written in a cursive style with a long horizontal flourish underneath the name.

Osama Manzar
Founder & Director
Digital Empowerment Foundation