

INTERVIEW WITH RAVI SHANKAR PRASAD

‘Pragmatic realities of digital age need to be appreciated’

AT A time when the privacy debate is going on, RAVISHANKAR PRASAD, Minister of Law & Justice and Electronics and Information Technology, told ANIL SASI and SANDEEP SINGH that the government is committed to ensure the data privacy rights of Indians. He said that there should be a balanced debate on the issue so that it does not impinge upon the great potential of innovation which Indian entrepreneurs are willing to explore in quest of digital empowerment of India. Edited excerpts:

While a lot of government data is being used by companies, concerns are also being expressed on this issue at several quarters?

I think the privacy debate is going haywire. All the government data available is anonymous. A lot of government data is available for use and value addition free of cost. Our focus is that this data must be used by start-ups and innovators in the field of healthcare, transportation, crime detection, education, etc. My government is committed to ensure the data privacy rights of Indians — of their genuine privacy rights.

“We are also linking motor vehicles with Aadhaar. That will make it tough for drivers to get away after accidents related to drunken driving, etc. We are using data protection for good governance... 32 crore SIM cards have (also) been linked with Aadhaar”

It is important to note that it's (release of government data) anonymous. Also, we will have a very robust data law. We understand the need for a robust data regime and that we also told this before the Supreme Court. In the age of technology, information is the power and, therefore, we need a fine balance. Pragmatic realities of digital age is required to be appreciated.

The point is, what is important? Four

But there are concerns on possible misuse of data?

If anyone looks to fiddle with data or misuse, they can be prosecuted. As far as Aadhaar data is concerned, it is completely encrypted and the Aadhaar Act is very particular that it cannot be revealed for any unauthorised purposes. The law is very clear in particular that the data can be released only in the case of national security, vetted by a joint secretary-level officer and has to be affirmed by a committee headed by cabinet secretary, law secretary and IT secretary for a defined period of three months. The highest sense of privacy shield is given as far as Aadhaar is concerned. For example, if a bank is taking the Aadhaar data for opening the account and for identity verification; the linkage of Aadhaar with PAN card is only for the limited purpose of preventing money laundering and the linkage of bank account with Aadhaar is only to prevent fictitious account.

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things that are important are — data availability, data utility, data anonymity and data privacy. Indian digital economy (communication, IT and ITeS, digital payment, e-commerce, electronic manufacturing and cybersecurity) is going to become a \$1-trillion economy in the coming 5-7 years. Who is subserving digital market — the rural India because they don't have the malls, etc. Almost 60-65 per cent of e-commerce is rural aspiration. How digital spread and digital commerce is creating employment is very evident. All these are important issues to be considered. Should we stop it completely? SC itself has stated that innovation, delivery of services are important while considering this whole issue of privacy and as per the incidence of article 21 — no right is absolute, similarly right of privacy is also not absolute.

What are your concerns?

A balance has to emerge. Right to privacy can't be invoked to shield corruption. Right to privacy should not be articulated in a manner that RTI becomes meaningless. We have to have a balanced debate without impinging upon great potential of innovation which Indian entrepreneurship and talent is willing to explore



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Do you think that it's fine to release data for public consumption even before having a data protection law in place?

in quest of digital empowerment of India.

When do you think a data protection law will be in place?

I hope by the end of this year. You are dealing with an issue which is of seminal importance and I have myself requested that there should be widest debate among the stakeholders. Those advocating privacy and those supporting innovation — all need to be heard. My view is that India's data protection law must become an important milestone. I would also like to say that we have done something to remodel the digital discourse of the world. Digital India is more for the poor and underprivileged. Through digital India, we want to bridge the digital divide and we also want to usher in digital inclusion. That is our whole focus and that is why we have insisted that technology must be affordable, developmental and inclusive. My government's take is that any policy for digital initiative must empower India and Indians.

What is your sense on the Aadhaar case?

We have got a very good case and we will argue it out. Beyond that, on a matter that is sub-judice, I can't make a comment.