

E-mail: fedservorg@gmail.com

Mobile: 94431 56100

FEDERATION OF CONSUMER AND SERVICE ORGANIZATIONS

Promoted exclusively to deal with the pressing issues..

(Regd. No.CAG/01/2016 as a Consumer advocacy group with TRAI)

No.5, 4th Street, Lakshmipuram,
Tiruchirappalli – 620 010. T.N. State .

The Chairman,

Telecom Regulatory Authority of India,

New Delhi – 110 011.

04.11.2017

Kind attention: Shri Arvind Kumar, Advisor (BB & PA)

Dear Sir,

Sub: forward our view in Consultation Paper on Privacy, Security and
Ownership of the Data in Telecom Sector – reg

We express our sincere thanks and appreciation to TRAI for take up this important consumers' problem for consultation. We forward our view in this consultation for your kind perusal and consideration:

Q.1 Are the data protection requirements currently applicable to all the players in the eco-system in India sufficient to protect the interests of telecom subscribers? What are the additional measures, if any, that need to be considered in this regard?

Ans: We think the present system should be strengthening more as per report submitted by the experts committee headed by (Retd.) Justice A. P. Shah, Former Chief Justice, Delhi High Court Commission on the subject of data privacy.

Q. 2 In light of recent advances in technology, what changes, if any, are recommended to the definition of personal data? Should the User's consent be taken before sharing his/her personal data for commercial purposes? What are the measures that should be considered in order to empower users to own and take control of his/her personal data? In particular, what are the new capabilities that must be granted to consumers over the use of their Personal data?

Ans: The User's written consent should be mandatory before sharing their personal data for any purpose.

Q.3 What should be the Rights and Responsibilities of the Data Controllers? Can the Rights of Data Controller supersede the Rights of an Individual over his/her Personal Data? Suggest a mechanism for regulating and governing the Data Controllers.

Ans: The Data Controllers have no any right on the data of the Users.

Q. 4 Given the fears related to abuse of this data, is it advisable to create a technology enabled architecture to audit the use of personal data, and associated consent? Will an audit-based mechanism provide sufficient visibility for the government or its authorized authority to prevent harm? Can the industry create a sufficiently capable workforce of auditors who can take on these responsibilities?

Ans: The abusing data is one of the major threat to the Users. It would better an audit based mechanism by the independent agencies or TRAI.

Q. 5 What, if any, are the measures that must be taken to encourage the creation of new data based businesses consistent with the overall framework of data protection?

Ans: No comments..

Q.6 Should government or its authorized authority setup a data sandbox, which allows the regulated companies to create anonymized data sets which can be used for the development of newer services?

Ans: May be..

Q. 7 How can the government or its authorized authority setup a technology solution that can assist it in monitoring the ecosystem for compliance? What are the attributes of such a solution that allow the regulations to keep pace with a changing technology ecosystem?

Ans: No comments..

Q. 8 What are the measures that should be considered in order to strengthen and preserve the safety and security of telecommunications infrastructure and the digital ecosystem as a whole?

Ans: By impose heavy penalty on violators is one of the better ways..

Q. 9 What are the key issues of data protection pertaining to the collection and use of data by various other stakeholders in the digital ecosystem, including content and application service providers, device manufacturers, operating systems, browsers, etc? What mechanisms need to be put in place in order to address these issues?

Ans: No comments..

Q. 10 Is there a need for bringing about greater parity in the data protection norms applicable to TSPs and other communication service providers offering comparable services (such as Internet based voice and messaging services). What are the various options that may be considered in this regard?

Ans: The norms may be strengthen..

Q. 11 What should be the legitimate exceptions to the data protection requirements imposed on TSPs and other providers in the digital ecosystem and how should these be designed? In particular, what are the checks and balances that need to be considered in the context of lawful surveillance and law enforcement requirements?

Ans: Users expectations only protect their personal information from any abuses..

Q.12 What are the measures that can be considered in order to address the potential issues arising from cross border flow of information and jurisdictional challenges in the digital ecosystem?

Ans: Consider the suggestions submitted by the Justice Shri A.P. Shah Committee..

Thanking You, Sir,

Yours Faithfully,

M. Sekran,
President.