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## DATA GOVERNANCE

*THIS ARTICLE COVERS "DAILY CURRENT AFFAIRS" AND THE TOPIC DETAILS "DATA GOVERNANCE". THE TOPIC "DATA GOVERNANCE" HAS RELEVANCE IN THE GOVERNANCE SECTION OF THE UPSC CSE EXAM.*

### **FOR PRELIMS:**

*CORE DATA GOVERNANCE FRAMEWORK?*

### **FOR MAINS:**

- GS 2: GOVERNANCE
- GLOBAL REGULATIONS?
- DATA GOVERNANCE IN INDIA?
- WAY FORWARD?

### **WHY IN THE NEWS?**

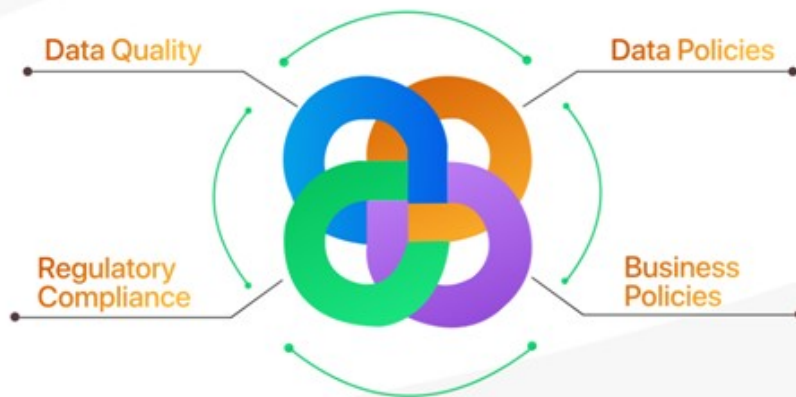
RECENTLY, THE UNION CABINET HAS APPROVED THE DRAFT DIGITAL PERSONAL DATA PROTECTION BILL (DPDP), 2022, TO BE INTRODUCED IN THE MONSOON SESSION OF PARLIAMENT WITH SOME SIGNIFICANT CHANGES.

### **CORE DATA GOVERNANCE FRAMEWORK:**

- IF PASSED, THE DIGITAL PERSONAL DATA PROTECTION BILL (DPDP) WILL BECOME INDIA'S CORE DATA GOVERNANCE FRAMEWORK.
- IT WAS INTRODUCED SIX YEARS AFTER THE SUPREME COURT DECLARED PRIVACY AS A FUNDAMENTAL RIGHT.
- PROPOSED LEGISLATION IN THE IT AND TELECOM SECTORS:

- THE DIGITAL INDIA BILL AIMS TO REPLACE THE EXISTING INFORMATION TECHNOLOGY ACT, 2000.

## Data Governance



- IT IS DESIGNED TO PROVIDE A COMPREHENSIVE FRAMEWORK FOR THE DIGITAL ECOSYSTEM.

### INDIAN TELECOMMUNICATION BILL, 2022:

- THE INDIAN TELECOMMUNICATION BILL, 2022, FOCUSES ON THE TELECOMMUNICATIONS SECTOR.
- IT AIMS TO ESTABLISH A NEW REGULATORY FRAMEWORK FOR THE RAPIDLY EVOLVING TELECOM INDUSTRY.
- NON-PERSONAL DATA GOVERNANCE POLICY:
  - THE NON-PERSONAL DATA GOVERNANCE POLICY IS A POLICY THAT SPECIFICALLY GOVERNS NON-PERSONAL DATA.
  - IT AIMS TO PROVIDE GUIDELINES AND REGULATIONS FOR THE HANDLING AND USAGE OF NON-PERSONAL DATA.

### WHAT ARE THE EXPECTED CHANGES?

#### LOWERING AGE OF CONSENT:

- THE DRAFT BILL PROPOSES A GRADED APPROACH TO DETERMINE THE AGE OF CONSENT FOR DATA PROCESSING.

- THIS CHANGE ADDRESSES CONCERNS RAISED BY SOCIAL MEDIA COMPANIES AND ALIGNS WITH DATA PROTECTION REGULATIONS IN THE EUROPEAN UNION AND THE UNITED STATES.

### **DEFINITION OF A CHILD AND EXEMPTIONS:**

- THE DEFINITION OF A CHILD MAY INCLUDE INDIVIDUALS BELOW 18 OR A LOWER AGE AS DETERMINED BY THE CENTRAL GOVERNMENT.
- CERTAIN ENTITIES DEALING WITH CHILDREN'S DATA MAY BE EXEMPTED FROM OBTAINING PARENTAL CONSENT IF THEY DEMONSTRATE SAFE DATA PROCESSING PRACTICES.

### **RELAXATIONS ON CROSS-BORDER DATA FLOWS:**

- THE UPCOMING BILL INTRODUCES RELAXATIONS ON CROSS-BORDER DATA FLOWS, MOVING FROM A WHITELISTING APPROACH TO A BLACKLISTING MECHANISM.
- THE BILL ALLOWS GLOBAL DATA TO FLOW BY DEFAULT TO JURISDICTIONS OTHER THAN A SPECIFIED NEGATIVE LIST OF COUNTRIES.

### **GLOBAL REGULATIONS:**

- THE GENERAL DATA PROTECTION REGULATIONS (GDPR) IN THE EUROPEAN UNION PROVIDES COMPREHENSIVE DATA PROTECTION LAWS FOR PERSONAL DATA PROCESSING.
- THE UNITED STATES HAS LIMITED SECTOR-SPECIFIC REGULATIONS, AND THERE IS NO COMPREHENSIVE SET OF PRIVACY RIGHTS OR PRINCIPLES LIKE THE GDPR.
- CHINA HAS ENACTED THE PERSONAL INFORMATION PROTECTION LAW (PIPL) AND THE DATA SECURITY LAW (DSL) TO PROTECT PERSONAL DATA.

### **CHALLENGES WITH DATA GOVERNANCE IN INDIA:**

- INSUFFICIENT AWARENESS.
- WEAK ENFORCEMENT MECHANISMS.
- LACK OF STANDARDIZATION.
- INADEQUATE SAFEGUARDS FOR SENSITIVE DATA.

### **DATA GOVERNANCE IN INDIA:**

#### **IT AMENDMENT ACT, 2008.**

- INFORMATION TECHNOLOGY (INTERMEDIARY GUIDELINES AND DIGITAL MEDIA ETHICS CODE) RULES, 2021.
- PROPOSAL OF THE DIGITAL INDIA ACT, 2023 TO REPLACE THE IT ACT, 2000.
- JUDGEMENTS LIKE JUSTICE K. S. PUTTASWAMY (RETD) VS UNION OF INDIA, 2017 AND RECOMMENDATIONS BY THE B.N. SRIKRISHNA COMMITTEE, 2017.

### **WAY FORWARD:**

- THE GOVERNMENT SHOULD PRIORITIZE DATA PROTECTION AND ESTABLISH AN INDEPENDENT AND EMPOWERED DATA PROTECTION BOARD.
- BALANCING STRINGENT REGULATIONS WITH FOSTERING INNOVATION IS CRUCIAL.
- FINDING THE RIGHT BALANCE WILL ENSURE EFFECTIVE GOVERNANCE AND ENFORCEMENT OF DATA PROTECTION REGULATIONS.
- SOURCE: [HTTPS://WWW.FINANCIALEXPRESS.COM/TECH-TRENDS/DATA-PROTECTION-BILL-NEW-VERSION-EASES-NORMS-ON-INFO-TRANSFER/3164067/](https://www.financialexpress.com/tech-trends/data-protection-bill-new-version-eases-norms-on-info-transfer/3164067/)

**Q.1 'RIGHT TO PRIVACY' IS PROTECTED UNDER WHICH ARTICLE OF THE CONSTITUTION OF INDIA?**

- (A) ARTICLE 15
- (B) ARTICLE 19
- (C) ARTICLE 21
- (D) ARTICLE 29

**ANSWER: (C)**

**Q2. RIGHT TO PRIVACY IS PROTECTED AS AN INTRINSIC PART OF RIGHT TO LIFE AND PERSONAL LIBERTY. WHICH OF THE FOLLOWING IN THE CONSTITUTION OF INDIA CORRECTLY AND APPROPRIATELY IMPLY THE ABOVE STATEMENT?**

- (A) ARTICLE 14 AND THE PROVISIONS UNDER THE 42ND AMENDMENT TO THE CONSTITUTION.
- (B) ARTICLE 17 AND THE DIRECTIVE PRINCIPLES OF STATE POLICY IN PART IV.
- (C) ARTICLE 21 AND THE FREEDOMS GUARANTEED IN PART III.

(D) ARTICLE 24 AND THE PROVISIONS UNDER THE 44TH AMENDMENT TO THE CONSTITUTION.

**ANSWER: (C)**

**Q.3 EXAMINE THE SCOPE OF FUNDAMENTAL RIGHTS IN THE LIGHT OF THE LATEST JUDGEMENT OF THE SUPREME COURT ON RIGHT TO PRIVACY.**

**Rishabh**

### **INDIA-FRANCE RELATIONSHIP**

*THIS ARTICLE COVERS "DAILY CURRENT AFFAIRS" AND THE TOPIC DETAILS "INDIA-FRANCE RELATIONSHIP". THE TOPIC "INDIA-FRANCE RELATIONSHIP" HAS RELEVANCE IN THE "INTERNATIONAL RELATIONS" SECTION OF THE UPSC CSE EXAM.*

#### **FOR PRELIMS:**

INDIA- FRANCE INITIATIVES



#### **FOR MAINS:**

*GS2: AGREEMENTS INVOLVING INDIA AND ITS INTERESTS, BILATERAL RELATIONS OF INDIA, INDIAN DIASPORA*

#### **WHY IN THE NEWS?**

PRIME MINISTER MODI WILL BE ATTENDING THE BASTILLE DAY PARADE AS GUEST OF HONOUR ON INVITATION BY EMMANUEL MACRON, PRESIDENT OF FRANCE. THIS

VISIT ALSO MARKS THE 25TH ANNIVERSARY OF INDIA-FRANCE STRATEGIC PARTNERSHIP.

### **HISTORICAL BACKGROUND:**

- THE RELATIONSHIP BETWEEN INDIA AND FRANCE DATES BACK TO THE 17TH CENTURY, WHEN THE FRENCH EAST INDIA COMPANY ESTABLISHED A TRADING POST IN SURAT, GUJARAT. THE FRENCH WERE INTERESTED IN TRADING FOR SPICES AND OTHER GOODS FROM INDIA, AND THEY ALSO SOUGHT TO ESTABLISH POLITICAL AND MILITARY INFLUENCE IN THE REGION.
- THE ESTABLISHMENT OF DIPLOMATIC RELATIONS IN 1947 LAID THE FOUNDATION FOR THE MODERN-DAY PARTNERSHIP.
- AFTER THE NUCLEAR TESTS IN 1998, INDIA AND FRANCE SIGNED A STRATEGIC PARTNERSHIP AGREEMENT. THIS AGREEMENT FORMALISED THE CLOSE RELATIONSHIP BETWEEN THE TWO COUNTRIES AND COMMITTED THEM TO COOPERATION IN A NUMBER OF AREAS, INCLUDING DEFENCE, TRADE, AND TECHNOLOGY

### **ECONOMIC COLLABORATION:**

- INDIA AND FRANCE ARE IMPORTANT TRADING PARTNERS, AND THE TWO COUNTRIES HAVE A BILATERAL TRADE AGREEMENT THAT WAS SIGNED IN 1998. IN 2021, THE TRADE BETWEEN INDIA AND FRANCE WAS WORTH €12.7 BILLION.
- INDIA AND FRANCE ARE ALSO COOPERATING IN THE FIELD OF TECHNOLOGY, AND THE TWO COUNTRIES HAVE SIGNED A NUMBER OF AGREEMENTS TO PROMOTE COOPERATION IN AREAS SUCH AS SPACE, NUCLEAR ENERGY, AND INFORMATION TECHNOLOGY.
- IN 2003, INDIA AND FRANCE SIGNED A BILATERAL AGREEMENT ON SPACE COOPERATION. THE AGREEMENT COVERS A WIDE RANGE OF AREAS, INCLUDING SATELLITE LAUNCH, SATELLITE COMMUNICATION, AND REMOTE SENSING.
- INDIA AND FRANCE ARE ALSO WORKING TOGETHER ON THE DEVELOPMENT OF THE INTERNATIONAL THERMONUCLEAR EXPERIMENTAL REACTOR (ITER), A PROJECT TO DEMONSTRATE THE FEASIBILITY OF FUSION POWER.
- FRENCH COMPANIES HAVE MADE SIGNIFICANT INVESTMENTS IN INDIA, CONTRIBUTING TO JOB CREATION AND TECHNOLOGY TRANSFER. SOME OF THE MOST NOTABLE FRENCH COMPANIES WITH A PRESENCE IN INDIA INCLUDE AIRBUS, RENAULT, CAPGEMINI, AND DANONE.
- NPCI INTERNATIONAL PAYMENTS LIMITED (NIPL) AND LYRA SIGNED AN MOU TO ENABLE UPI AND RUPAY PAYMENTS IN EUROPE. THIS WOULD ALLOW EUROPEANS TO USE THESE INDIAN PAYMENT METHODS ONLINE AND IN STORES.

### **DEFENCE AND SECURITY COOPERATION:**

- INDIA AND FRANCE HAVE A STRONG DEFENCE RELATIONSHIP, AND THE TWO COUNTRIES HAVE COLLABORATED ON A NUMBER OF MAJOR DEFENCE PROJECTS, SUCH AS THE RAFALE FIGHTER AIRCRAFT AND THE SCORPÈNE-CLASS SUBMARINES.
- IN 2016, INDIA SIGNED A DEAL TO PURCHASE 36 RAFALE FIGHTER JETS FROM FRANCE FOR €7.8 BILLION. THE FIRST BATCH OF RAFALE JETS WAS DELIVERED TO INDIA IN SEPTEMBER 2020.
- INDIA AND FRANCE ARE ALSO WORKING TOGETHER ON THE DEVELOPMENT OF THE NEXT GENERATION OF FIGHTER JETS, THE FUTURE MEDIUM COMBAT AIRCRAFT (FMCA).

### **CULTURAL EXCHANGES AND PEOPLE-TO-PEOPLE CONTACTS:**

- IN 2006, INDIA AND FRANCE SIGNED A BILATERAL AGREEMENT ON CULTURAL COOPERATION. THE AGREEMENT COVERS A WIDE RANGE OF AREAS, INCLUDING THE EXCHANGE OF ARTISTS, SCHOLARS, AND STUDENTS.
- THERE IS A LARGE INDIAN DIASPORA IN FRANCE, ESTIMATED TO BE AROUND 500,000 PEOPLE. THE INDIAN DIASPORA IN FRANCE IS MADE UP OF PEOPLE FROM ALL OVER INDIA, AND THEY HAVE MADE SIGNIFICANT CONTRIBUTIONS TO FRENCH SOCIETY.
- THOUSANDS OF INDIANS VISIT FRANCE EVERY YEAR, AND THERE ARE ALSO A LARGE NUMBER OF FRENCH PEOPLE WHO LIVE IN INDIA. THESE CONTACTS HELP TO PROMOTE UNDERSTANDING AND FRIENDSHIP BETWEEN THE TWO COUNTRIES.

### **CLIMATE PARTNERSHIPS:**

- THE TWO COUNTRIES HAVE WORKED TOGETHER ON A NUMBER OF INITIATIVES TO MITIGATE CLIMATE CHANGE, INCLUDING THE INTERNATIONAL SOLAR ALLIANCE AND THE PARIS AGREEMENT.
- THE INTERNATIONAL SOLAR ALLIANCE (ISA) IS AN INTERNATIONAL ORGANISATION THAT WAS FOUNDED BY INDIA AND FRANCE IN 2015. THE ISA'S MISSION IS TO PROMOTE THE USE OF SOLAR ENERGY IN DEVELOPING COUNTRIES. THE ISA HAS 121 MEMBER COUNTRIES, AND IT IS HEADQUARTERED IN GURUGRAM, INDIA.
- IN OCTOBER 2022, FRANCE AND INDIA SIGNED A ROADMAP ON GREEN HYDROGEN TO ESTABLISH A RELIABLE AND SUSTAINABLE VALUE CHAIN FOR DECARBONISED HYDROGEN. IN FEBRUARY 2022, THEY SIGNED A ROADMAP ON THE BLUE ECONOMY AND OCEAN GOVERNANCE.

- IN 2021, INDIA AND FRANCE LAUNCHED THE CLIMATE ACTION AND FINANCE PARTNERSHIP, A JOINT INITIATIVE TO PROMOTE CLIMATE ACTION AND FINANCE IN DEVELOPING COUNTRIES.

### **CHALLENGES IN THE BILATERAL TIES:**

- **REGIONAL SECURITY CONCERNS:** BOTH INDIA AND FRANCE SHARE CONCERNS ABOUT REGIONAL SECURITY THREATS, ESPECIALLY IN THE INDIAN OCEAN REGION. THEY COOPERATE ON MARITIME SECURITY AND COUNTERTERRORISM, BUT NEED TO ENHANCE THEIR COOPERATION TO ADDRESS EMERGING CHALLENGES.
- **DEFENSE PROCUREMENT:** INDIA EXPERIENCES DELAYS AND COST OVERRUNS IN SEVERAL DEFENSE DEALS WITH FRANCE DUE TO ISSUES SUCH AS COST ESCALATION, DELIVERY DELAYS, AND DISAGREEMENTS OVER TECHNOLOGY TRANSFER.
- **TECHNOLOGY TRANSFER:** INDIA FACES CHALLENGES IN OBTAINING ADVANCED MILITARY TECHNOLOGY AND EQUIPMENT FROM FRANCE DUE TO INTELLECTUAL PROPERTY RIGHTS AND PROLIFERATION RISKS.
- **STRATEGIC AUTONOMY:** FRANCE WORRIES ABOUT INDIA'S GROWING DEFENSE TIES WITH OTHER COUNTRIES, ESPECIALLY THE UNITED STATES. FRANCE WOULD WANT INDIA TO MAINTAIN A BALANCED APPROACH AND NOT BECOME OVERLY DEPENDENT ON ANY ONE COUNTRY.
- INDIA AND FRANCE HAVE A STRONG FOUNDATION ON WHICH TO BUILD, AND THEY ARE COMMITTED TO WORKING TOGETHER TO ADDRESS THE CHALLENGES AND OPPORTUNITIES OF THE 21ST CENTURY. THE TWO COUNTRIES COULD COLLABORATE IN A NUMBER OF AREAS, INCLUDING TRADE, DEFENSE, TECHNOLOGY, CLIMATE CHANGE, SPACE, EDUCATION, CULTURE, AND TOURISM. BY WORKING TOGETHER, INDIA AND FRANCE CAN HELP TO PROMOTE PEACE, STABILITY, AND PROSPERITY IN THE WORLD.

### **SOURCES:**

#### **Q1. CONSIDER THE FOLLOWING STATEMENTS:**

1. FRANCE WAS AMONG THE LAST EUROPEAN MARITIME POWERS TO ENTER THE EAST INDIA TRADE IN THE 17TH CENTURY.
2. FRANCE IS A MEMBER OF THE G-7, OECD, G-20 AND QUAD.

**WHICH OF THE STATEMENTS GIVEN ABOVE IS/ARE CORRECT?**

- (A) 1 ONLY
- (B) 2 ONLY
- (C) BOTH
- (D) NONE



**ANSWER: (A)**

**Q2. CONSIDER THE FOLLOWING:**

1. INTERNATIONAL THERMONUCLEAR EXPERIMENTAL REACTOR (ITER)
2. CLIMATE ACTION AND FINANCE PARTNERSHIP
3. INDO-PACIFIC ECONOMIC FRAMEWORK FOR PROSPERITY (IPEF)
4. INTERNATIONAL SOLAR ALLIANCE (ISA)
5. **HOW MANY OF THE ABOVEMENTIONED INITIATIVES/ ORGANISATIONS HAVE INDIA AND FRANCE PARTNERSHIP?**

- (A) ONLY ONE
- (B) ONLY TWO
- (C) ONLY THREE
- (D) ALL FOUR

**ANSWER: (C)**

**Q3. DISCUSS THE EVOLUTION OF INDIA-FRANCE STRATEGIC PARTNERSHIP OVER THE LAST 25 YEARS AND ITS RELEVANCE IN THE CURRENT GEOPOLITICAL CONTEXT.**

**Gaurav Nikumbh**



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