

## Government's Social Media Hub: a Tool of Mass Surveillance?



Source: <https://m.dailyhunt.in/news/india/english/apherald-epaper-apherald/social+media+communication+hub+to+be+set+up+soon+by+information+broadcasting+ministry-newsid-80730283>

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## Lead Essay

### Government's Social Media Hub: a Tool of Mass Surveillance?

*As per media reports, the Ministry of Information and Broadcasting is all set to establish a Social Media Communication Hub, a platform that will, with the help of a social media analytical tool collect information about individuals from their social media accounts and internet usage, hire media experts to analyze this data and then utilize this to target them with personalized campaigns to change their options and maintain a positive environment for the present government. Not only is this a clear case of violation of an individual's fundamental right to privacy and civil liberties, it is also worrying that in a country with no data protection and privacy law and recent cases of data leakage, the government is adding more and more agencies that will track social media conversations regularly.*

#### Introduction

The Ministry of I&B has decided to set up a Social Media Communication Hub (hence referred to as SMCH) and deploy social media analysts to monitor online content across 716 districts of India. The major responsibilities of a social media analyst include- collecting data on regional media and local events with a focus on issues related to government, identifying and promoting positive stories regarding various government initiatives and schemes and provide content for social media support to the Ministry for publicity at the district/regional level. This 42 crore worth hub would be conducting two major tasks-first conduct surveillance on people and the second to tailor specific content for broadcast to influence them. This hub therefore, is supposed to work as a real time media command room with the help of a social media analytical tool that will collect and monitor major social media platforms<sup>1</sup> and try to understand the views of the netizens about the government. In addition to this it will analyze this information, store it in a single database to and work towards maintaining a positive image of the government and publicize their initiatives. This implies digital profiling of each and every citizen who is being monitored and then targeting them with personalized responses and changes their perceptions.

For the successful implementation of this project, the government through the Broadcast Engineering Consultants India Ltd (BECIL) has already posted a tender online extended up till 16 June seeking suitable private agencies including foreign companies who can help run the Hub and build the analytical tool. Apart from this, the SMCH is expected to prepare analytical reports, conduct predictive analysis, build a knowledge management system and create a private data centre along with a team of around 20 social media analytics executives who will provide reports on sentiment, trending topics and hashtags to the Ministry. The most anticipated feature about this hub, according to the specifications of the bid document would be its capacity to do live search, monitor, collect analyze and store personal data from all kinds of digital platforms including "listening to all kinds of conversations including emails", create a "conversation archive" of users from their social media, collect data across different languages and incorporate a Natural Language Processing Engine to be able to identify sentiment and context from all of them, handle crisis management and finally predict the unexpected global news coverage.

#### Why is the Social Media Communications Hub Problematic?

<sup>1</sup> The listed digital channels are Facebook, Twitter, YouTube, Google, Instagram, LinkedIn, Flickr, Tumblr, Google Playstore, Pinterest, emails, news, blogs, forums, complaint websites etc

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By 2019, it is estimated that there will be around 258.27 million social network users in India, with Facebook and YouTube as the most preferred digital platforms. In fact, Facebook users in India itself are more than 240-million in numbers becoming the largest audience country for the social media giant. Unfortunately India does not have a law that ensures data protection with a defined legal process or a proper consent mechanism to be taken by the individuals before using their data. Therefore, in such a scenario the plan to develop the social media analytical tool raises privacy concerns. Since there are no legal or ethical safeguards in place for this project, it prohibits the citizens from exercising their fundamental right of free choice to not share their personal data. Further the proposed tender does not talk about any safeguards to ensure data protection and privacy. Therefore the proposal in its present form only tends to focus on building a project that runs on personal data without a strong consent mechanism that deprives its citizens the right to be informed of how and where their personal data will be put to use. Previously, India has suffered increase in the cases of cyber crimes due to data leakage that resulted in huge financial losses of around USD 500,000 to India companies in the last 12-18 months alone. Cases such as the Cambridge Analytica scam should be taken as a warning by the Ministry before it proceeds with such projects. Therefore the government to begin with, needs to implement a regulatory mechanism in place to which the hub should be accountable to. Furthermore it needs to explain to the citizens the need for such a hub and how it will benefit the people whose data will be used. More importantly, how to does it plan to protect the individuals' privacy and why there is no discussion on the importance of the consent?

Secondly, the real job of the SMCH is to monitor, collect analyze, store and huge volumes of personal data and profiling based on that. Therefore, it is simply a mass surveillance in disguise, which will be used o exclusively monitor public perception and push the government's agenda on its people. **Not only is the process illegal and unconstitutional, information and data could be manipulated to create fake news, or target particular groups or individuals. Several incidents instigated by fake news on Facebook and Whatsapp have already led to mob lynching and death of innocent people.** Further, the fact that the proposed platform will also have the capability to publish content simply heightens this risk. The issues that the government needs to address are establishing regulatory mechanisms for monitoring online content and news, data privacy and transparency regarding data collection and usage so that individuals can make informed choices.. While surveillance technologies are, to some extent necessary in order to ensure protection from cyber crime and terrorism, the legitimate forms of constraints and monitoring needs to be clearly defined.

Thirdly, the major tasks assigned to the analytical tool are confusing and impossible to achieve. For instance, as stated above the tool will be used to effectively monitor all major digital platforms and "listen" to conversations on these platforms including one's email conversation. The fact that the I&B Ministry seems to be planning to hire an agency that will not just track open social media platforms but also 'emails and blogs' is even more worrying. Even intelligence agencies are not allowed to use software that will trawl through emails on phishing exercises, it perplexing why the I&B Ministry needs to build such a capability? Apart from this, it is not clear as to how the government proposes to get this information from these global sites considering the political and social implications of this step could harmful as in the case of the Cambridge Analytica scandal. The other difficult task for the government and agency involved would be to "predict global coverage". The tender does not clarify what it means by predicting news coverage across the globe, its purpose and how does the government plans to implement it with the help of the software? Further since the tender is open to bidding by foreign companies implies that these foreign companies if chosen will have access to sensitive citizen's data that not only violates privacy laws but also opens up our data to foreign surveillance and therefore compromises national security.

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Recently, an NGO called Internet Freedom Foundation had sent a legal notification to I&B Ministry to withdraw the project citing the proposed hub to be illegal, un-constitutional and in violation of digital rights. “How could the public perception be molded in positive manner for the country, how could nationalistic feelings be inculcated in the masses, how can the perception management of India be improved at the world, how could the media blitzkrieg of India’s adversaries be predicted and replied/neutralized, how could the social media and internet news/discussions be given a positive slant for India?” as per the foundation<sup>2</sup>. Similarly, a draft Bill, “Indian Privacy Code, 2018” which has been released as a community project to be has been sent out to the Srikrishna Committee members for consideration while they prepare the a data protection framework for India. The Bill takes into the consideration, the 2011 recommendations given by the Group of Experts under the chairmanship of Justice A P Shah, former Chief Justice of the Delhi High Court<sup>3</sup> and has included seven of its principles such as notifying the individual what has been taken from him, the right to choice, accountability of the government etc. Some of the major provisions of the Bill advocates for:

- For individual privacy,
- Constituting a privacy commission that looks after the investigation, adjudication, rule-making and enforcement process with a strong surveillance reform,
- Right to information,
- Protection from the open internet and
- Penalties for those who are involved in data breach.

The draft Bill also wishes to prevent some of the fundamental features of the Aadhaar Act that allows the government to prescribe Aadhaar as the sole mode of identification for almost all the essential services that unfortunately operated against the welfare of its citizens. . For instance, as per media reports there have been incidents of people dying of starvation due to denied rations, workers denied wages due to biometric failures, leaked Aadhaar data that was published online etc. This, the advocacy group expects, will lead to a shift of power from the Unique Identification Authority of India (UIDAI) that has been responsible for ensuring welfare of the people till now will be controlled by the people from now on while the government will not deny essential services to citizens if they choose not to share data with it. However, all these proposed ideas are up for debate and deliberations. Feedback and inputs are invited from the public to improve and strengthen the regulatory framework even further. Also the Supreme Court has recently agreed to hear Trinamool Congress MLA Mohua Moitra's petition that challenges the Centre's decision to create this hub on the ground that it was an attempt to snoop on citizens' social media activities in violation of their right to privacy.<sup>4</sup>

### Way Forward

As we have mentioned in a previous policy watch issue, what India requires is a stringent data protection law to address the mounting concerns over privacy of citizens especially when India is aiming at complete digitization. In fact, the present IT Act 2000 and Aadhar Act 2016 that are domain-specific laws that deal with protecting user’s data leave certain open ended issues such as what exactly is personal data, right to be forgotten, the differentiation between data controller and data processor and their respective obligations

<sup>2</sup> <https://scroll.in/latest/880880/i-b-ministry-gets-legal-notice-for-floating-tender-to-create-tool-to-analyse-social-media-activity>

<sup>3</sup> <http://pib.nic.in/newsite/PrintRelease.aspx?relid=88503>

<sup>4</sup> <https://timesofindia.indiatimes.com/india/supreme-court-to-hear-plea-on-social-media-hub/articleshow/64640987.cms>

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towards data subjects. Under such a scenario, as highlighted by the Srikrishna Committee too, India should take inspiration from other countries and their successful data protection laws; for instance the one adopted by the European Union, which gives primary importance to privacy of individuals. Recent incidents of data leak from Aadhar, Facebook and Cambridge Analytica, raise several deeper questions about our relationship with technology, radical changes in ideas of privacy and ownership of the self, and the implications of the new data-driven order for democracy and politics. Therefore In the absence of a clear framework to deal with data protection and privacy issues and with increasing digitalization it is essential for India to formulate a comprehensive new law which can balance the privacy concerns of citizens, protect business systems and at the same time regulate the data ecosystem. Before establishing such an organization that will have direct control over personal data certain important aspects such as deidentified/ anonymized form of collecting data, clearly defined SOPs the security mechanisms, grievance redress mechanism etc in case of data breach etc should put in place.

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## Headlines

### **India Facing Worst Water Crisis in History, Likely to Get Worse: NITI Aayog**

(The Wire, June 15, 2018)

According to a report titled Composite Water Management Index released by NITI Aayog this month, water crisis in India is likely to further deteriorate over the next few years. The report pointed out the widespread contamination of India's water resources along with rapidly shrinking sources of water. With the demand for water likely to be doubled, there will be severe shortage of water availability and 40% of the population will have no access to drinking water by 2030. NITI Aayog has also ranked all the states through nine broad sectors with 28 different indicators covering various aspects of groundwater, restoration of water bodies, irrigation, farm practices, drinking water, policy and governance and has found that while water index scores vary across states, most states have scored below 50% and are heavily reliant on rainfall for irrigation, which is a crucial for agriculture.

Read more: <https://thewire.in/environment/water-crisis-india-niti-aayog>

Date Accessed: 19.06.2018

## Governance and Development

### GOVERNMENT

#### **Toxic Air is Now a Year-Round Problem for Delhi**

(Tish Sanghera, *Indiaspend*, June 15, 2018)

An analysis of the data from Central Pollution Control Board (CPCB) shows that high 24-hour average levels of PM 2.5 was recorded across the National Capital Region (NCR) between March and May 2018, indicating that poor air quality is consistently affecting the region regardless of winter and individual weather events. According to AQI values from data compiled by the CPCB's monthly air ambience reports, Delhi experienced zero days of 'good' quality air between March and May 2018, The AQI is currently registering 'severe' air pollution across Delhi, with levels that may cause "respiratory impact even on healthy people, and serious health impacts on people with lung/heart disease." The health impacts may be experienced even during "light physical activity."

Read More: <http://www.indiaspend.com/cover-story/toxic-air-is-now-a-year-round-problem-for-delhi-16631>

Date Accessed: 04.06.2018

#### **Centre to crack down on those seeking jobs abroad without orientation programme**

(Jayanth Jacob, *Hindustan Times*, June 17, 2018)

According to a central government order, blue-collar workers from Delhi who fail to undergo a mandatory orientation programme cannot go abroad, with the government refusing them clearance to emigrate. The programme aims equip the workers with "enhanced skill sets" and familiarise them with the rules of the destination country. This decision will not just affect workers from the Capital but also from the neighbouring states who come to Delhi for work. However, experts argue that penalising workers alone for not undergoing the training will not help and that the government should consult stakeholders and come out with a solution that will facilitate the training for the workers who hail from disadvantageous background.

Read More: <https://www.hindustantimes.com/india-news/centre-to-crack-down-on-those-seeking-jobs-abroad-without-orientation-programme/story-stZF79J8ZKpLvaLWoXZGNN.html>

Date Accessed: 17.06.2018

#### **Rajnath Singh: Expedite cybercrime reporting portal**

(*The Indian Express*, June 19, 2018)

Home Minister Rajnath Singh has asked officials in the Home Ministry to expedite the launch of the online cyber crime reporting portal. The minister expressed his concern over the rising number of cases of child pornography and other obscene material online and the urgent need to counter these cyber threats. Law agencies should also be strengthened to tackle the challenges of social media abuse for illegal activities. The need for generating public awareness and strengthening institutional framework for checking financial fraud through phone calls was also stressed.

Read more: <https://indianexpress.com/article/india/rajnath-singh-expedite-cybercrime-reporting-portal-5223003/>

Date Accessed: 19.06.2018

### EDUCATION

#### **Despite High Demand for Automation, AI Courses, India Seems to Have Missed the Bus**

(Rounak Kumar Gunjan, *News18*, June 19, 2018)

In the recent approval process of the All India Council for Technical Education (AICTE), the government regulatory body for technical education, the Council approved 61 new courses offered by technical colleges for subjects relating to automation. Although this is a rise in the existing courses by 60%, the increase is concentrated only in ten states, namely, Andhra Pradesh, Goa, Gujarat, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Punjab, Tamil Nadu and Telangana. According to the AICTE's data, the rest of the states have witnessed no new courses in these disciplines for the past five years. Owing to global importance of courses relating to artificial intelligence (AI), machine learning (ML), robotics, data crunching and analysis, etc., and given the dearth of such courses in India, universities based out of United States and Europe have over the years witnessed an increase in applications from India for these courses.

Read More: <https://www.news18.com/news/india/despite-high-demand-for-automation-ai-courses-india-seems-to-have-missed-the-bus-1782759.html>

## Governance and Development

Date Accessed: 19.06.2018

### HEALTH

#### Publicly Financed Health Insurance Schemes

(Soumitra Ghosh, *Economic and Political Weekly*, June 11, 2018)

In the context of the announcement of the National Health Protection Scheme (NHPS), the authors study India's publicly-funded health insurance schemes and conclude that such schemes, coupled with a healthcare delivery system dominated by "for profit" private providers, have failed to address the issues of access and financial risk protection. In addition to this, these insurance schemes have not only wasted thousands of crores of taxpayers' money but also possibly displaced the resources that were to be utilised for other important activities. The NHPS is no different from these insurance schemes and reinforces the idea of market-oriented reforms in India's publicly funded healthcare.

Read More: <https://www.epw.in/journal/2018/23/commentary/publicly-financed-health-insurance-schemes.html>

Date Accessed: 12.06.2018

### LAW AND JUSTICE

#### Dalit women's rights activists to present accounts of caste violence at UNHRC

(Shalini Nair, *The Indian Express*, June 19, 2018)

Dalit women rights activists have been invited to present their account of the prevailing situation of caste based violence in India at the United Nations Human Rights Council meet this week. The activists will attempt to contextualise and portray the socio-economic situation of Dalits, the aggravated violence against them and their increased vulnerability to sexual abuse in the light of the dilution of the SC/ST Act by the Supreme Court last year. The coalition of Dalit representatives will release a report titled 'Voices Against Caste Impunity; Narratives of Dalit Women in India' in Geneva on July 21 which uses data from National Family Health Survey (fourth round) to highlight the disproportionate amount of violence and discrimination that SC/ST/OBC women face in India.

Read more: <https://indianexpress.com/article/india/dalit-womens-rights-activists-to-present-accounts-of-caste-violence-at-unhrc-5223007/>

Date Accessed: 19.06.2018

#### Study crime against children, juveniles in conflict with law: Bombay HC to Maharashtra government

(*The Indian Express*, June 18, 2018)

In the light of rising crime against children and criminal activities by juveniles, the Bombay High Court has instructed the Maharashtra state government to probe the reasons behind such crimes and why juveniles were increasingly taking to criminal activities. It recommended the state government to carry out a psycho-social study of the factors impacting the same so that preventive measures can be formulated effectively to counter. The court also emphasised the role of schools in imparting value lessons as well as inculcating a sense of ethic and morality.

Read more: <https://indianexpress.com/article/india/study-crime-against-children-juveniles-in-conflict-with-law-bombay-hc-to-maharashtra-government-5222682/>

Date Accessed: 19.06.2018

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