

Digital Strike

December 2, 2020

The digital sector plays an important role in the development of the economy and is the electronic backbone for a country. With the recent banning of China apps, India needs to recognize the importance and strike a balance between the protection of the country's sovereignty and integrity as well as the country's growth and development in the digital sector.

In news: India bans 43 more Chinese Apps.

Placing it in syllabus: Foreign relations

Static dimensions

1. Advantages of Digital Strike
2. Drawbacks of Digital Strike

Current dimensions

1. In news
2. Grounds of Ban
3. Procedure of ban

Content:

In news:

- The Ministry of Electronics and Information Technology has banned 43 new Chinese mobile apps under **Section 69A of the Information Technology Act.**
- This action was taken based on the inputs regarding these apps for engaging in activities which are prejudicial to sovereignty and integrity of India, defence of India, security of state and public order.
- The order was issued based on comprehensive reports received from Indian Cyber Crime Coordination Center, Ministry of Home Affairs.

Two previous instances of Digital Strike:

Following the strain in relations between two countries after the bloody clash at Galwan valley, the Indian government had **banned 59 apps on June 29, 2020, and on September 2 it had banned 118 more apps.** So far, India has banned 224 China-based apps in a bid to lessen its economic engagement with China and lay major impetus on homegrown products and services. The move helps in pushing for local development of products, apps and services under Atmanirbhar Bharat scheme.

Grounds of Ban:

- Biggest security concern is that a lot of apps on smartphones collect massive amounts of data which has nothing to do with the service it provides and it takes several security-sensitive and intrusive permissions which the user doesn't understand but ends up agreeing to.
- Several citizens had reportedly raised concerns in representations to the **Indian Computer Emergency Response Team (CERT-In)** regarding security of data and loss of privacy in using these apps.
- The MeITy had received "exhaustive recommendations" from the Home Ministry's Indian Cyber Crime Coordination Centre.
- The notification issued by the Ministry has characterized the applications which are banned as "malicious", indicating several complaints against these applications of unauthorized transmission of user data to the servers outside India.

Procedure of ban :

Under Section 69A of the IT Act, 2000, the government can ban apps under normal and emergency clauses.

- Under the **emergency route**, content can be blocked on the directions of the Secretary, Department of IT, who must

consider the impugned content and record his reasons for doing so. The order of the Secretary must be placed before the government committee within 48 hours. Based on the recommendations of this committee, the order can then be finalised or vacated.

- In the **normal course**, an order to block content requires: (a) a decision to be made by a government committee (b) relevant intermediaries to be given an opportunity to be heard by this committee. These processes are not required when emergency provisions are used.

Rule 16 of the Blocking rules under IT act requires strict confidentiality to be maintained regarding blocking requests, complaints received, and actions taken. However, as recognised by the Supreme Court in the **Anuradha Bhasin case**, publishing such orders is the only way in which the reasons and rationale for the decision can be judged.

Advantages of Digital Strike:

- Helps to safeguard the sovereignty and integrity of India as these particular apps infringed the personal data and prejudiced the privacy of the Indian citizens.
- The Indian IT industry is set to achieve higher goals and cross more momentous milestones in the digital sector as domestic applications gain momentum.
- Through these bans, India has sent a message that it is no longer dependent on passive diplomacy.
- As data streams and digital technology are a new currency of global power and economy, India has soon realized the importance of the privacy of databases.

Drawbacks of Digital Strike:

- Dependency and reliance of India on Chinese products in several critical and strategic sectors are still very high.

- The data privacy issues by unauthorized and illegal activities are not only confined to only Chinese apps.
- As India is one of the main application markets for China, due to the ban China may receive a lot of economical drawbacks. Hence China has made veiled threats to take the matter to the World Trade Organisation (WTO) as India's measure of selectively and discriminatorily banning Chinese apps runs against fair and transparent procedure requirements.

Mould your thought:

1. Analyze India's move to ban Chinese apps. What are the drawbacks of India's digital strike on China?

Approach to the answer:

- Write about recent Chinese app ban
- Brief about previous bans
- Write the advantages of ban
- Write the drawbacks