Draft India Data Accessibility & Use Policy, 2022

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In news—The Ministry of Electronics and Information Technology (MEITY) has released the 'Draft India Data Accessibility & Use Policy, 2022' recently.

About the draft Policy-

- **It aims to radically transform India's ability to harness public sector data and** to harness the economic value of the generated data.
- The policy will be **applicable to all data and information created and collected by the Central Government.**
- It would also **allow State governments to adopt its provisions**.
- Its operationalisation will be achieved through the **establishment of a India Data Office (IDO) for overall management.**
- It says that **India Data Council, comprising IDO and chief data officers shall be constituted** with the objective of undertaking tasks that require deliberation across ministries, departments and state governments.
- **This council will define frameworks for high-value data sets,** finalize data standards and metadata standards and review policy implementation, among others.
- However, **it is not indicated whether the India Data Council will have non-governmental participation** from industry, civil society or technologists.
- The policy strategy is to make Government data open by default and then maintain a negative list of datasets which cannot be shared.

- **The envisioned policy outcomes include** unlocking high-value data across the economy, facilitating a congruent and robust governance strategy, realizing an interoperable digital infrastructure and data skills and data-driven culture.
- Definition of more sensitive categories which should have restricted access is left to the independent government ministries.
- Government datasets including high-value datasets will be shared freely within government departments and also licensed to the private sector.
- As a measure of privacy protection, there is a recommendation for anonymisation and privacy preservation.

Privacy issues with this Policy are:

- **India does not have a data protection law that can provide accountability** and remedy for privacy violations such as coercive and excessive data collection or data breaches.
- Inter-departmental data sharing poses concerns related to privacy since the open government data portal which contains data from all departments may result in the creation of 360 degree profiles and **enable state-sponsored mass surveillance.**
- Even though the policy considers anonymisation as a desired goal there is a **lack of legal accountability and independent regulatory oversight.**
- There is also a failure to consider scientific analysis and the availability of automated tools for the re-identification of anonymous data.