

## Data protection way forward

- Genesis of this law, which arose out of the Justice K.S. Puttaswamy v. Union of India case where the court held that the right to privacy had both a positive and negative aspect.
- The former implies the need for the state to actively take measures to protect an individual's privacy.
- Thus, the government was more or less forced to initiate the drafting of a data protection law.
- The government has suggested that it will introduce multiple legislation comprising a new comprehensive legal framework.
- This is the right approach, as trying to fit all objectives related to the digital ecosystem or even data governance into one Bill would be a mistake.
- Separate laws could deal with issues concerning state surveillance, or issues in the data economy such as dealing with competition related concerns arising out of the monopolisation of data by certain entities.
- Over time, such a system may lead to more balanced and beneficial results.
- It should build in a risk based approach to data protection, so that

the regulatory focus is directed towards addressing sources of potential harm. Second, based on risk assessments, the law could enable co-regulation and self-regulation

- New Bill should include more provisions to ensure that the regulator uses its powers well.
- These include provisions relating to appointments, consultations, reporting, and so on.
- Even while the law is being drafted, the government should invest in building some administrative capacity to implement it, so that when the law is eventually passed, implementation can begin soon after.

## THE HINDU

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### Facial recognition technology

#### What is facial recognition?

- Facial recognition is an algorithm-based technology which creates a digital map of the face by identifying and mapping an individual's facial features, which it then matches against the database to which it has access.

### **It can be used for two purposes:**

- Firstly, 1:1 verification of identity wherein the facial map is obtained for the purpose of matching it against the person's photograph on a database to authenticate their identity.
- Secondly, there is the 1:n identification of identity wherein the facial map is obtained from a photograph or video and then matched against the entire database to identify the person in the photograph or video.

### **Why is the use of FRT harmful?**

- The use of FRT presents two issues: issues related to misidentification due to inaccuracy of the technology and issues related to mass surveillance due to misuse of the technology.
- Extensive research into the technology has revealed that its accuracy rates fall starkly based on race and gender.
- Even if accurate, this technology can result in irreversible harm as it can be used as a tool to facilitate state sponsored mass surveillance.
- At present, India does not have a data protection law or an FRT-specific regulation to protect against misuse.

- In such a legal vacuum, there are no safeguards to ensure that authorities use FRT only for the purposes that they have been authorised to, as is the case with the Delhi Police.

## **THE HINDU**

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### **Nepal's new citizenship law**

#### **What is the issue of citizenship in Nepal about?**

- Nepal transitioned into a democracy beginning with the fall of the monarchy in 2006 and the subsequent election of the Maoist government in 2008. The emergence of the multiparty system was followed by the adoption of a constitution on September 20, 2015.
- All Nepalese citizens born before this date got naturalised citizenship.
- But their children remained without citizenship as that was to be guided by a federal law which has not yet been framed.
- This amendment Act is expected to pave the way to citizenship for many such stateless youth as well as their parents.

#### **What are the issues with the Act?**

- The main criticism against the Citizenship Amendment Act, 2006 is

that it goes against established parameters of gender justice.

- A cursory reading also reveals contradictions among various sections of the law.
- According to Article 11(2b), a person born to a father or a mother with Nepalese citizenship can get citizenship by descent.
- Article 11(5) of the constitution says a person who is born to a Nepalese mother (who has lived in the country) and an unidentified father will also get citizenship by descent.
- But this section appears humiliating for a mother as she has to declare that her husband is unidentified for the child to be eligible for citizenship.
- In the case of a Nepalese father, such declarations are not required.
- Article 11(7) which says that a child born to a Nepalese mother and a father holding a foreign citizenship can get "naturalised citizenship" in accordance with the laws of Nepal appears to contradict Article 11(2b).
- It places a condition of permanent residency on the mother (and the child) which will determine the grant of citizenship for the child.

## **THE HINDU**

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## **Non-tangible token**

### **What are NFTs?**

- Non-fungible tokens (NFTs) are cryptographic assets on a blockchain with unique identification codes and metadata that distinguish them from each other.
- Unlike cryptocurrencies, they cannot be traded or exchanged at equivalency. This differs from fungible tokens like cryptocurrencies, which are identical to each other and, therefore, can serve as a medium for commercial transactions.
- NFTs are digital assets whose ownership is verified through transaction records stored on blockchains.
- Artwork, digital avatars, and accessorized monkeys are some of the most commonly traded NFTs.
- "Tokenizing" these real-world tangible assets makes buying, selling, and trading them more efficient while reducing the probability of fraud.
- NFTs can also function to represent individuals' identities, property rights, and more.
- In January Open Sea's monthly volumes for Ethereum shot over \$4.8 billion. However, after the crypto crash in May, both Bitcoin and Ether

fell and more than halved in value during the first six months of 2022.

- Daily transactions on Open Sea have been gradually declining since then.

### **Lumpy Skin**

- Lumpy skin disease (LSD) is an infectious disease in cattle caused by a virus of the family Poxviridae, also known as Neethling virus.
- The disease is characterized by fever, enlarged superficial lymph nodes and multiple nodules (measuring 2–5 centimetres (1–2 in) in diameter) on the skin and mucous membranes (including those of the respiratory and gastrointestinal tracts).
- Infected cattle also may develop edematous swelling in their limbs and exhibit lameness.
- The virus has important economic implications since affected animals tend to have permanent damage to their skin, lowering the commercial value of their hide
- Additionally, the disease often results in chronic debility, reduced milk production, poor growth, infertility, abortion, and sometimes death.

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