



The Dialogue™
INFORM ENGAGE IDEATE



Dear Reader,

2020 has been a tumultuous year for everyone, but we at The Dialogue have embraced the changes it has brought and managed to thrive. One major knock-on effect of the pandemic has been the shift to virtual spaces and greater reliance on technology. This has come at a time when India itself has been going through the process of digital integration and this only helped speed it up. Being one of the most recognised names in the tech policy space within the country, our hard-working and innovative team was able to thrive under pressure and help create change and guide progressive policy discourse which will hold India in good stead moving into the future. On behalf of The Dialogue family, I would like to wish you and your dear ones a very happy, prosperous and safe New Year. Please stay tuned with us to know and be part of the larger tech discourse that will shape our future.

Best Wishes

Kazim Rizvi

Founding Director, The Dialogue



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2021

HAPPY NEW YEAR



Outlook 2021: Designing data governance policies to promote domestic startups

Karthik Venkatesh, Kazim Rizvi

The past year has seen several changes within the startup ecosystem, be it in terms of the increased reliance of digital services by the consumer base, or making sense of varied government policies that are regulating the ecosystem. In sectors such as edtech, fintech, ecommerce, the pandemic made digital the new normal as the world stayed in lockdown. As we continue to move forward, socially distant and with masks, the changes in our relationship with the digital services and startups that serve us, are here to stay.

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LATEST ON THE BLOG

ANALYSING THE CHALLENGES IN THE INDO-US INTERMEDIARY LIABILITY REGIMES			
AMERICAN LAW	FUNDAMENTAL RIGHTS INFRINGED	PROPOSED INDIAN LAW	PROPOSED CHALLENGE
Section 230C Vigilantly monitored & engages in unconstitutionally broad use of First Amendment leading to a chilling effect on free speech	Fourth & Fourteenth Amendment Right to Privacy & Equality & Equal Protection of Laws Art. 21 & Art. 14	Art. 19 Art. 21 Art. 14	Art. 19 Art. 21 Art. 14
Section 230C Compelling intermediaries to adopt responsive measures to check CSAM	First Amendment Right to Freedom of Speech & Expression Art. 19	Art. 19 Art. 21 Art. 14	Art. 19 Art. 21 Art. 14
Section 230C Mandating intermediaries to identify original information by empowering them to search user records and that too without a warrant based on probable cause	Fourth Amendment Right to Privacy & Personal Liberty Art. 21	Art. 21 Art. 14	Art. 21 Art. 14
Section 230C Mandates every communication service with more than 1 million active users in U.S. to provide access to associated data to LEA. "Tens of millions remain unaccountable"	Fourteenth Amendment Right to Equality & Equal Protection of Laws Art. 14	Art. 14	Art. 14
Section 230C Overarching powers to Attorney General undermining the rights to Equality & Privacy of the citizens	Fourth & Fourteenth Amendment Right to Privacy & Equal Protection of Laws Art. 21 & Art. 14	Art. 21 & Art. 14	Art. 21 & Art. 14

Why diluting internet safe harbour laws threatens both child safety & user privacy

By Shruti Shreya & Pranav Bhaskar Tiwari

The internet has always been envisioned as a platform to democratise public spaces by bringing more voices to the table and transform how interactions or businesses are conducted. The rapid adoption of internet-based technologies, however, has not just created opportunities but has also posed challenges requiring urgent and strategic resolution.

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Is Femtech empowering women or commodifying them?

by Shefali Mehta

The concept of 'Femtech'—or technology "which addresses women's biological needs"—is so interlinked with the women's health apps, that the term itself is credited to the Danish entrepreneur Ida Tin, the founder of "Clue", a period and fertility management app.

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Equalisation levy 2020 — looking at India's digital tax

by Kazim Rizvi & Ayush Tripathi

The Finance Act 2020 came up with several new tax provisions, one of which expanded the scope of 2016 equalisation levy to include e-commerce transactions.



The Act introduced Section 153(iv), which added Section 165A to the Finance Act 2016 to put an equalisation levy charged at 2% on the non-resident e-commerce operators.

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Encryption tech: Securing healthcare in the digital age

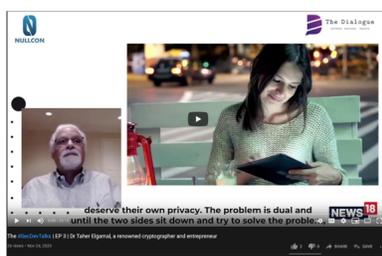
by Arya Tripathy & Kazim Rizvi

It is only in the 68th year that the Republic of India recognised right to privacy as a fundamental right. In 2017, Supreme Court while adjudging the constitutionality of the Aadhaar Act, 2016 ruled informational privacy as an integral part of an individual's privacy. It urged the government to put in place a robust data protection regime.

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WHAT'S UP?



The #SecDevTalks | EP 3 | Dr Taher Elgamal, a renowned cryptographer and entrepreneur

In the latest episode of the #SecDevTalks with The Dialogue Nullcon and CNN News18, Dr Taher Elgamal, a renowned cryptographer and entrepreneur, envisions a privacy enabling national security regime and ecommerce ecosystem.

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