

JUNE, 2022

TECH TALK

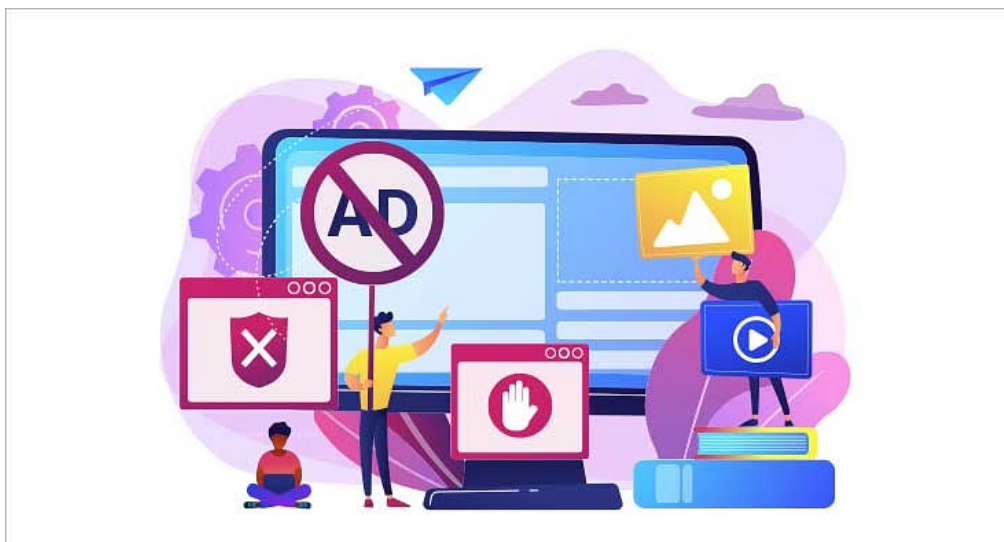
A GNLU Centre for Law and Technology Initiative

Vol. 4 Issue 6

1. GUIDELINES ON MISLEADING ADVERTISEMENTS AND ENDORSEMENTS NOTIFIED UNDER THE CONSUMER PROTECTION ACT, 2019:

The Central Consumer Protection Authority, on 9 June 2022, exercising powers under Section 18 of the Consumer Protection Act, 2019, released guidelines to regulate misleading advertisements. The Guidelines add rules and requirements relating to "bait advertisements," "surrogate advertisements," and "free claim commercials," as well as defining when an advertisement is not likely to be a "misleading advertisement" and how disclaimers in advertisements must be utilized. The Guidelines also impose limitations on the use of or targeting of children in advertisements. There are now requirements for endorsers to exercise due diligence.

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2. MEITY SEEKS SUGGESTIONS FOR AMENDMENTS TO INTERMEDIARY RULES:

MeiTy published proposed changes to the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 ("IT Rules") on June 6, 2022, and requested feedback from the general public. The deadline for comments was set on July 6, 2022. In order to ensure that intermediaries providing services in India comply with Indian laws and protect Indian citizens' Constitutional rights, as well as to provide additional forums for grievance redressal outside of the court system, it is stated in the press note that goes along with the Draft Amendments. The press release that goes along with the draft amendment states that they are intended to create an open, safe, trusted, and accountable internet, ensure that intermediaries providing services in India comply with local laws, protect the constitutional rights of Indian citizens, and provide additional forums for grievance redressal outside of the court system.

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3. RAILWAYS MINISTRY TO INSTALL IP-BASED VIDEO SURVEILLANCE SYSTEM AT STATIONS UNDER NIRBHAYA FUNDS:

The Ministry of Railways has installed the Internet Protocol (IP) based Video Surveillance System (VSS) at stations across the nation as a significant move to improve station security. The project was funded by Nirbhaya funds and was legally approved by the ministry.

This significant breakthrough was made by RailTel, a Mini Ratna Central Government Public Sector Undertaking (PSU) that is under the Ministry of Railways and is responsible for implementing the Video Surveillance System (VSS) project (CCTV cameras network) funded by the Nirbhaya Fund at railway stations.

The project's first phase, which will cover 756 major stations in categories A1, A, B, and C, is anticipated to be finished in January 2023. The second phase of VSS installation will include coverage for the remaining stations.

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4. NEW TELEMEDICINE GUIDELINES HAVE BEEN CIRCULATED:

Platforms for technology gather healthcare providers and services and enable communication between them, patients, and services. For doctors and patients, several of these technologies offer more than just audio/video calling or texting capabilities. The Telemedicine Practice Guidelines ("TPG") were released in 2020 by the Ministry of Health and Family Welfare to promote continuity of care and remove geographic barriers to healthcare access. According to one study, teleconsultations, telepathology, teleradiology, and e-pharmacy will all see a "encouraging boost" as a result of the pandemic, with the Indian telemedicine market expected to increase at a 31 percent CAGR between 2020 and 25 (to USD 5.5 billion). In order to establish trust in these goods and guarantee that internal processes at HealthTech firms are tuned to assure patient safety from a variety of aspects, it is essential that all HealthTech products have strong legal underpinnings while participating in this much-needed boom. By dividing it down into manageable segments, businesses can guarantee the release of reliable and compliant Products.

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5. INDIA TO INTRODUCE 72 GHZ 5G SPECTRUM:

The establishment of captive 5G networks by the major tech companies received approval from the Union Cabinet, which also approved the auction of airwaves capable of providing fifth-generation or 5G telecom services, including ultra-high-speed internet.

According to a formal announcement outlining the decision made by the Union Cabinet, led by Prime Minister Narendra Modi, at its meeting on June 14th, the auction of the spectrum beyond 72 GHz will take place by the end of July. The auction for spectrum will start on July 26, 2022. According to sources who spoke to PTI, the Cabinet has authorized the 5G auctions at reserve prices suggested by industry watchdog Telecom Regulatory Authority of India (TRAI). TRAI had previously suggested a 39 percent decrease in the reserve price, often known as the "floor price," for the sale of a 5G spectrum for mobile services. Big tech firms will initially be permitted to use the 5G spectrum for their captive non-public network, on lease from the telecom companies, according to the Notice Inviting Applications, a bid-related document released by the DoT. The 5G spectrum in nine frequency bands will be auctioned to telecom operators like Bharti Airtel and Reliance Jio.

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