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# TECH TALK

*A GNLU Centre for Law and Technology Initiative*

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## 1. RELEASE OF THE DRAFT DRUGS, MEDICAL DEVICES, AND COSMETICS BILL, 2022:

The new draft Bill aims to replace the Drugs and Cosmetics Act 1940. It intends to regulate different healthcare products, like medical devices, cosmetics, drugs, and Ayurveda, Unani, Siddha and Homoeopathy (AYUSH) products separately. The draft bill creates boards for each healthcare product to promote research and policy advice. The draft law also covers concerns including misbranding and adulteration, establishes quality requirements, and specifies licensing authorities. While some of these entities are new, others already exist. The proposed legislation, for instance, creates a new Medical Devices Technical Advisory Board to oversee the regulation of medical devices. The draft bill recognizes the necessity to regulate medical devices separately by excluding them from the definition of pharmaceuticals. Additionally, some penalties have also been strengthened. Entities must obtain permits to sell/stock pharmaceuticals, etc. online under the new proposed law. Considering the long-standing debate regarding the online sale of drugs and the position of online drug marketplaces as connecting links between licensed drug sellers and consumers, the Bill also attempts to regulate such marketplaces. However, it doesn't account for the differing business models of these individual online marketplaces.

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## 2. TWITTER INDIA CHALLENGES CONTENT TAKEDOWN ORDERS PASSED BY THE GOVERNMENT IN THE KARNATAKA HC:

Twitter cited procedural inadequacies in the takedown orders issued to it by the MeitY and thus challenged these orders before the Karnataka High Court. The MeitY had issued takedown orders to twitter regarding individual accounts and posts mostly pertaining to farmer's protests and the Covid-19 mismanagement. Twitter has contended that most of these takedown orders are arbitrary and the content objected to has no direct relation to the requirements laid down under Section 69A of the IT Act, which allows regulation of content when they are against national interest. The case has been admitted by the High Court and the same would be heard on the 25th of August, 2022.

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### 3. INDIAN GOVERNMENT BLOCKS BATTLEGROUNDS MOBILE INDIA:

According to a source in the Indian government, India's government blocked a popular battle-royale game by Krafton Inc., a South Korean business financed by China's Tencent, as a response to concerns about data sharing and mining in China. The Government used powers granted under Section 69A of the Information Technology Act, 2000 to block the popular game. The game has been removed from Google Play Store and Apple App Store in India. BGMI had, as per reports, more than 100 million active users in the country.

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# KRAFTON

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## 4. PRIVATE ENTERPRISES IN INDIA NOW ALLOWED TO SET UP 5G CAPTIVE WIRELESS NETWORKS:

On June 27, 2022, the Department of Telecommunications ("DoT"), India's telecom regulator, amended the licenses of the country's current access service providers to allow them to lease telecom spectrum assigned to them for public mobile communications to private companies in order to establish captive networks while also offering standard public network services. Additionally, subject to operational requirements, the DoT unveiled a new license category for private businesses to directly build geographically locked captive non-public networks. These changes are in accordance with suggestions made along similar lines by the Telecom Regulatory Authority of India (TRAI). Due to these recent reforms, private businesses are now able to create dedicated captive non-public networks (CNPNS), either by leasing spectrum from the government or a TSP or by using CNPN-as-a-service from authorized Telecom Service Providers (TSPs). With the help of 5G, these CNPNs can support emerging technologies like the Internet of Things (IoT) and machine-to-machine (M2M) communications, enabling better, quicker real-time communications with reduced latency and giving organizations greater operational control over such networks.

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