

TECH TALK

2021

- *A GNLU Centre for Law and Technology
Initiative*

JANUARY

➤ INTRODUCTION OF LEGAL ENTITY IDENTIFIER FOR LARGE VALUE TRANSACTIONS IN CENTRALISED PAYMENT SYSTEMS

By notification dated January 5, 2021 ([available here](#)), the Reserve Bank of India ("RBI") introduced the Legal Entity Identifier ("LEI") for Large Value Transactions in Centralised Payment Systems. The LEI is a 20-digit number used to uniquely identify parties to financial transactions worldwide and is conceived as a key measure to improve the quality and accuracy of financial data systems for better risk management post the Global Financial Crisis. The RBI has introduced the LEI in a phased manner for participants in the over-the-counter (OTC) derivative, non-derivative markets and also for large corporate borrowers.

Further, the LEI system has been introduced for all payment transactions of value Rs. 50,00,00,000 (Indian Rupees Fifty Crores only) and above undertaken by entities (non-individuals) using RBI-run Centralised Payment Systems such as the Real Time Gross Settlement (RTGS) and National Electronic Funds Transfer (NEFT). In India, LEI can be obtained from Legal Entity Identifier India Limited, which is also recognised as an issuer of LEI by the RBI under the Payment and Settlement Systems Act, 2007.

➤ PAPERLESS BUDGET: UNION BUDGET APP LAUNCHED BEFORE BUDGET 2021

Finance Minister Nirmala Sitharaman launched '*Union Budget App*' during the traditional Halwa Ceremony that marks the beginning of compilation of budget documents. With a dedicated Union Budget app for Android and iOS smartphones, Union Budget 2021 goes fully paperless for the first time. [Read more here](#)

FEBRUARY

➤ THE MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY RELEASES THE INFORMATION TECHNOLOGY (INTERMEDIARY GUIDELINES AND DIGITAL MEDIA ETHICS CODE) RULES, 2021

The Ministry of Electronics and Information Technology (“MeitY”) vide notification dated February 25, 2021 released the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 (“Intermediary Guidelines”), in supersession of the Information Technology (Intermediaries Guidelines) Rules, 2011. The Intermediary Guidelines were later enforced by way of a Gazette notification on February 27, 2021. [Read more here](#)

➤ THE RESERVE BANK OF INDIA RELEASES BOOKLET ON EVOLUTION AND DEVELOPMENT OF PAYMENT AND SETTLEMENT SYSTEMS IN INDIA

A booklet published and released by the Reserve Bank of India ("RBI") on the evolution and development of India's payment and settlement systems ("Booklet"). It describes, inter alia, the legal and regulatory environment underpinning the digital payments systems, various enablers, payment options available to consumers, and the extent of adoption during the period 2010-2020. In addition to examining the development of payment and settlement systems infrastructure, the Booklet sets out a road map for the future. [Read more here](#)

➤ THE INSURANCE REGULATORY AND DEVELOPMENT AUTHORITY OF INDIA ADVISES ALL INSURANCE COMPANIES ON ISSUANCE OF DIGITAL INSURANCE POLICIES VIA ‘DIGILOCKER’

The Insurance Regulatory and Development Authority of India (“IRDAI”) vide circular dated February 9, 2021 has advised all insurance companies for issuance of digital insurance policies via ‘DigiLocker’.

DigiLocker is an initiative of the Ministry of Electronics and Information Technology as part of the 'Digital India' program, through which citizens may get certified documents/certificates in digital format from the original issuers. [Read more here](#)

MARCH

➤ **GOVERNMENT PLANS TO INTRODUCE THE CINEMATOGRAPH (AMENDMENT) BILL, 2021**

In Parliament, the Government of India has indicated that it plans to introduce the Cinematograph (Amendment) Bill, 2021 to impose more stringent fines for piracy. It has been in procedural steps in the Parliament since its introduction in February 2019. India's media and entertainment industry is alleged to lose Rs. 2,100 crores every year due to piracy, according to a report cited by the Government. [Read more here](#)

➤ **FRANCE'S NATIONAL ASSEMBLY APPROVES A BILL TO COMBAT PIRACY**

In France, the National Assembly has approved a bill that empowers courts to issue "*dynamic injunctions*" and block websites and servers that are broadcasting illegal sports content and provides rights holders with powers to curb piracy in the country. This means that each injunction will last for a year, without the need for costly and time-consuming reapplications. Besides the original infringing entity, the injunctions would also apply to any "*mirror*" websites created after the publication of the judge's decision. [Read more here](#)

➤ **CRYPTO ASSET INVESTORS BUYS DIGITAL ARTWORK FOR \$70 MILLION**

Christie's auction house sold a digital-only artwork for \$70 million to a crypto asset investor known as "*Metakovan*". The auction of Beeple's digital artwork marks the first time a major auction house has sold property in which the physical form does not exist. The work is in the form of a new kind of digital asset, a Non-Fungible Token (NFT). The NFT is authenticated by blockchain, which certifies its originality and ownership of the artwork. The artwork was paid for by Metakovan in Ether, the cryptocurrency. [Read more here](#)

APRIL

➤ RBI RESTRICTS AMERICAN EXPRESS AND DINER CLUB FROM ON BOARDING NEW CUSTOMERS

By order dated April 23, 2021, the RBI restricted American Express Banking Corp and Diners Club International Ltd. ("*Entities*") from onboarding new domestic customers onto their card networks beginning May 1, 2021. The Entities are payment system operators (PSO) authorised to operate card networks in India. The adverse order was passed since the Entities have been found liable for not complying with its directions on storage of payment system data in India. [Read more here](#)

➤ APPLE'S NEW PRIVACY UPDATE CONCERNS FACEBOOK

Apple has rolled out a new update for its smartphones, constituting a series of new features, including the ability to quickly unlock an iPhone with Face ID while wearing a face mask. The update includes a privacy feature which allows iPhone users to restrict mobile applications from tracking them across the internet. In addition to Facebook, this move will affect various other app and companies collecting and sharing data for advertising purposes. [Read more here](#)

➤ US PUTS INDIA ON PRIORITY WATCH LIST FOR IP PROTECTION AND ENFORCEMENT

The U.S. Trade Representative published its annual "*Special 301 Report*" on April 30, 2021, which assesses the effectiveness of intellectual property protection and enforcement by U.S. trading partners. The Priority Watch List includes Argentina, Chile, China, India, Indonesia, Russia, Saudi Arabia, Ukraine, and Venezuela. In the year ahead, these countries will be the subject of particularly intense bilateral engagement. [Read more here](#)

MAY

➤ **FACEBOOK ANNOUNCES ITS DIGITAL CURRENCY – DIEM**

Facebook plans to launch its first ever digital currency, Diem, in 2021. In 2019, the project was called Libra, but now it's called Diem. According to the Facebook group "The Diem Association", two sets of cryptocurrency coins will be launched. A stable coin with a specific face value, such as a dollar or euro, and a multi-currency coin with multiple local stable coins. [Read more here](#)

➤ **MASSIVE DATA BREACH IN AIR INDIA**

It was reported on May 15, 2021 that Air India's data processor of its passenger service system was attacked by cybercriminals, resulting in the leak of personal information of passengers. Data from ten years of Air India customers including credit cards, passports, and phone numbers were exposed in this massive cyber-attack on its data processor back in February. [Read more here](#)

➤ **RBI MANDATES INTEROPERABILITY OF PREPAID PAYMENT INSTRUMENTS**

In a notification dated May 19, 2021, the Reserve Bank of India mandated the interoperability of full KYC prepaid payment instruments ("PPIs") and wallets. The interoperability will be mandated through authorised card networks (for PPIs in the form of cards) and UPI (for PPIs in the form of electronic wallets) and shall be completely enabled by March 31, 2022. [Read the notification here](#)

➤ **WHATSAPP SUES INDIAN GOVERNMENT OVER NEW INTERMEDIARY RULES, ALLEGING THE RULES VIOLATE PRIVACY**

In a petition filed in the High Court of Delhi on May 27, 2021, WhatsApp challenged certain provisions of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 ("Intermediary Rules") as unconstitutional. The petition claims that intermediary rules cause WhatsApp to break its end-to-end encryption feature, thereby infringing the rights of hundreds of millions of citizens who use WhatsApp to communicate privately and securely. [Read more here](#)

JUNE

➤ **INDIA'S FIRST NFT SOLD ON WAZIRX**

India's first ever Non Fungible Tokens (NFTs) have been sold on the home grown cryptocurrency exchange WazirX on June 2, 2021. NFT are non-fungible assets that are one of a kind. This means that an NFT cannot be replaced with another asset that is "identical". The three NFTs sold on the exchange include (a) an artwork named "Dark Times 2020" created by Ravi Koranga, (b) an artwork named "Iron Spider" created by Karan Kalra and (c) an artwork named "Chasing Sunshine" by Shreya Daffney. [Read more here](#)

➤ **THE MINISTRY OF INFORMATION AND BROADCASTING AMENDS THE CABLE TELEVISION NETWORKS RULES, 1994**

The Ministry of Information and Broadcasting (MIB), on June 17, 2021, amended the provisions of the Cable Television Networks Rules, 1994. According to the amendment, a transparent statutory mechanism has been established for addressing citizens' grievances related to violations of the program/advertising codes. Furthermore, self-regulatory bodies of broadcasters must now be registered with the Central Government. [Read more here](#)

➤ **UK AUTHORITY CRACKS DOWN ON CRYPTO CURRENCY EXCHANGE-BINANCE**

Binance Markets Limited has been restricted from engaging in any "regulated activity" in the United Kingdom by the Financial Conduct Authority (FCA). It belongs to the Binance Group, which operates one of the largest cryptocurrency exchanges in the world. [Read more here](#)

JULY

➤ TWITTER PUBLISHES ITS MONTHLY COMPLIANCE REPORT

Twitter has published its first compliance report for the period May 26 to June 25, 2021 under the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 ("Intermediary Rules"). Additionally, Twitter has appointed a new resident grievance officer following the Indian Government's tussle with Twitter. The Indian Government submitted before the Delhi High Court that Twitter has failed to comply with the Intermediary Rules and thus has lost its liability protection for user generated content. [Read more here](#)

➤ MINISTER OF INFORMATION TECHNOLOGY RESPONDS TO REPORTS SUGGESTING INDIAN GOVERNMENT MAY HAVE USED ISRAELI SPY SOFTWARE PEGASUS

Mr. Ashwini Vaishnaw, the newly appointed Minister of Electronics and Information Technology, stated in the parliament on July 19, 2021 that reports claiming that the Indian government used Israeli spyware Pegasus to hack phones of journalists, activists, and cabinet members are vague and defamatory. The minister also remarked that the Indian government has appropriate legal frameworks under the Indian Telegraph Act, 1885 ("Telegraph Act") and Information Technology Act, 2000 ("IT Act") for lawful interception of electronic communications. [Read more here](#)

➤ THE RESERVE BANK OF INDIA OPENS RTGS AND NEFT PAYMENT SYSTEMS FOR NON-BANKS

To encourage the participation of non-banks in RBI operated Centralised Payment Systems "CPS", i.e. The RBI has allowed non-bank primary dealers, clearing corporations of stock exchanges, central counter parties, retail payment system organisations, financial institutions (NABARD, EXIM Bank) and DICGC to participate in CPS as direct members in a phased method. [Read more here](#)

➤ THE CONSUMER PROTECTION (E-COMMERCE) RULES, 2020

These rules were enacted with an objective to prevent unfair trade practices and protect consumer interests in e-commerce platforms. These rules have wide application, as it applies to all goods and services sold over any kind of e-commerce entity, be it marketplace or inventory e-commerce platforms. [Read here](#) whether the act is boon or bane for us.

AUGUST

➤ IN A SETTLEMENT OVER A BREACH OF USER PRIVACY BY ZOOM, THE COMPANY HAS AGREED TO PAY 85 MILLION USD

In settlement of a lawsuit alleging violation of privacy rights and disruption due to Zoombombing, Zoom Video Communications has agreed to pay \$85 million. Zoom has been accused of violating users' privacy rights by sharing personal information with Google, Facebook, and LinkedIn. Zoom was also accused of failing to implement enough security measures to prevent hackers from hijacking Zoom meetings and displaying pornography, using racist language, and posting other disturbing content, a phenomenon famously known as 'Zoombombing'. [Read more here](#)

➤ E- RUPI LAUNCHED BY PRIME MINISTER MODI

E-RUPI, a cashless and contactless instrument for digital payment, was launched by the Prime Minister on August 2, 2021. The digital instrument has been developed by National Payments Corporation of India on its UPI platform, in collaboration with the Department of Financial Services, Ministry of Health & Family Welfare and National Health Authority. [Read more here](#)

➤ CRYPTO CURRENCIES WORTH \$600 MILLION STOLEN AND RETURNED BACK

On August 10, 2021, hackers stole cryptocurrencies worth \$600 million from the cryptocurrency platform-Poly Network, in the biggest ever heist in the crypto sector. Interestingly, the hackers initially only returned tokens worth an amount of \$342 million in less than 48 hours. However, the remaining balance was also returned shortly thereafter with a statement that the heist was part of an ethical hacking exercise and was carried out with the intent to expose cyber vulnerabilities. [Read more here](#)

➤ THE GOVERNMENT LAUNCHES AN ONLINE APPLICATION SYSTEM FOR MAKING GEOSPATIAL DATA AVAILABLE

For easy and free access to geospatial data collected by government, the Ministry of Science

& Technology recently inaugurated 3 online application portals which are Survey of India (“SOI”) GEO Spatial Data Dissemination Portal, SOI’s SARTHI; WEB GIS application and MANCHITRAN Enterprise Geoportal of National Atlas & Thematic Mapping Organization (NATMO).

This is a first of its kind initiative in which data collected by the government will be made available to Indian citizens and organizations. By launching online portals, users will no longer have to physically visit the SOI’s office in order to access geospatial data. Portals will provide a range of digital products such as Digital Geographical Maps, Railway Maps, Political Maps, and Digital Geographical Road Maps. [Read more here](#)

➤ **DELHI HIGH COURT RECOGNISES RIGHT TO BE FORGOTTEN**

On August 23, 2021, Justice Asha Menon of Delhi High Court in the case of X v/s [HTTPS://WWW.YOUTUBE.COM/WATCH?V=IQ6K5Z3ZYS0](https://www.youtube.com/watch?v=IQ6K5Z3ZYS0) and Ors. ([accessible here](#)) recognizes the plaintiff’s ‘Right to be Forgotten’ and grants interim protection against the publication, streaming, broadcasting, etc. of suit videos on a variety of online platforms that infringe upon plaintiff’s privacy. Having been promised a lead role in a web series, the petitioner was lured into participating in a trailer containing explicit images of her frontal nudity. A trailer for the series was uploaded on a variety of platforms, but the web series was never produced.

The Delhi High Court, while recognizing the ‘Right to be Forgotten’ as a part of the ‘Right to Privacy’, ruled that the plaintiff is entitled to protection against invasion of privacy by strangers on account of publication of her videos by defendants. [Read more here](#)

➤ **THE DRONE RULES, 2021**

The Central Government on 25th August 2021 replaced the Unmanned Aircraft System Rules, 2021 by **The Drone Rules, 2021**. The new rules are a liberalized version of the old ones. It regulates the use and operation of Drones or Unmanned Aerial System within the territory of India. The **Drone Rules, 2021** are based on the principles of *trust, self-certification and non-intrusive monitoring*, thus removing the strict requirements required under the previous rule. This landmark legislation will pave way for further laws based on the principle of self-regulation. Summary [here](#)

SEPTEMBER

➤ **TELANGANA LAUNCHES MEDICINE FROM SKY PROJECT**

On September 11, 2021, the Telangana government launched the 'Medicine from Sky Project' in Telangana's Vikarabad district. There are eight companies partnering with Telangana Government on the project, including Dunzo and Flipkart. The government hopes to expand the project to various regions of Telangana if the pilot phase proves successful. [Read more here](#)

➤ **CHINA DECLARES ALL VIRTUAL CURRENCIES AS ILLEGAL**

Chinese central bank declared all virtual currency transactions illegal on September 24, 2021, and states that offenders would be investigated for criminal liability in accordance with applicable law. All financial activities related to cryptocurrencies, including trading in cryptocurrencies, selling tokens, transactions involving virtual currency derivatives, and illegal fundraising, will be banned. [Read more here](#)

➤ **GOVERNMENT INITIATES TELECOM REFORMS**

On September 21, 2021, Department of Telecommunications, Ministry of Communications ("DoT") issued a series of orders simplifying the KYC processes under the telecom reforms announced by the Central Government on September 15, 2021. As a part of the reforms, DoT has implemented Aadhaar based eKYC, Self-KYC and OTP based conversion of mobile connection from prepaid to postpaid and vice-versa for contactless, customer centric, and secured KYC processes. [Read more here](#)

➤ **AYUSHMAN BHARAT DIGITAL MISSION LAUNCHED IN INDIA**

Ayushman Bharat Digital Mission ("ABDM"), which aims to connect hospitals across the country with digital health solutions, was launched by the Prime Minister of India on September 27, 2021. ABDM will provide each citizen with a unique health ID that will enable them to access health records, such as lab reports, prescriptions, and diagnoses, digitally. Health IDs issued under the ABDM will be linked to Aadhar cards and mobile numbers. [Read more here](#)

OCTOBER

➤ RBI HAS NO PROCEDURE TO INFORM CUSTOMERS ABOUT THEIR SECURITY BREACH

The RBI stated in response to an RTI filed by an independent security researcher that it does not have a system or procedure in place for informing customers of data breaches. The RTIs relate to cybersecurity incidents at Pine Labs and Mobikwik. [Read more here](#)

➤ THE G7 NATIONS APPROVE SET OF PRINCIPLES TO GOVERN CROSS BORDER DATA AND DIGITAL TRADE

Trade ministers of the G7 countries met on October 22, 2021, and adopted a set of principles to govern digital trade and cross-border data use between G7 countries. Those principles were adopted as a middle ground between the highly regulated data protection framework in the European Union and the open data governance framework implemented in the United States. In addition to open digital markets, cross-border data flows, safeguards for employees, consumers, and businesses, digital trading systems, and fair and inclusive global governance, the G7 countries agreed on principles for digital trade. [Read more here](#)

➤ NPCI LAUNCHES TOKENISATION OF RUPAY CARDS

On October 20, 2021, the National Payments Corporation of India launched their mechanism for tokenisation of RuPay cards, namely the NPCI Tokenization System (NTS). The said mechanism was implemented in compliance with the Reserve Bank of India's mandate for tokenisation of cards on January 1, 2022. The card tokenization feature protects sensitive financial data of customers and curbs cyber fraud, in which cardholder details are used to commit fraud. [Read more here](#)

NOVEMBER

➤ TRAI SENDS NOTICE TO ELON MUSK LED STARLINK INTERNET SERVICES

The Telecom Regulatory Authority of India ("TRAI") has issued a notice to Starlink, instructing the company not to collect any fees or conduct any telecom business in India. In its clarification, the TRAI stated that the company is not barred from doing business, but it will need to obtain prior authorization from the relevant government authorities before setting up operations or soliciting telecom business in India. Starlink, is a unit of SpaceX and is looking to enter the satellite internet service provider industry in India. [Read more here](#)

➤ MEITY APPOINTS NEW DESIGNATED OFFICER UNDER INFORMATION TECHNOLOGY ACT, 2000

On November 24, 2021, the Ministry of Electronics and Information Technology (MeitY) appointed the Group Coordinator (Cyber Law) as the designated officer under Section 69A(1) of the Information Technology Act, 2000 read with Rule 3 of the Information Technology (Procedure and Safeguards for Blocking for Access of Information by Public) Rules, 2009. [Read more here](#)

➤ CITIZEN'S TELE LAW MOBILE APP LAUNCHED BY CENTRAL GOVERNMENT

On November 13, 2021, the Union Minister of Law and Justice KirenRijju launched the citizen's tele-law app, which proposes to virtually connect beneficiaries seeking legal assistance and consultation directly with panel lawyers. This follows the initiative of the Department of Justice, which launched a week-long campaign to empower people through pre-litigation advice for rightfully claiming their entitlements and for timely redressal of difficulties. Tele-Law is expected to expand to 75,000 gram panchayats covering all States and Union Territories. [Read more here](#)

DECEMBER

➤ MINISTRY OF INFORMATION AND BROADCASTING USES EMERGENCY PROVISIONS OF INTERMEDIARY RULES TO BLOCK ONLINE CONTENT

The Ministry of Information and Broadcasting ("MIB") has blocked 20 YouTube channels and two news websites in accordance with the emergency provisions of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 ("Intermediary Rules"), according to its press release dated December 21, 2021. MIB said in its press release that these channels and websites formed a "coordinated disinformation network operating from Pakistan," one that spreads "false news" about sensitive Indian subjects. [Read more here](#)

➤ JPC'S REPORT ON PERSONAL DATA PROTECTION BILL, 2019 TABLED IN PARLIAMENT

After two years of deliberations, the chairman of the Joint Parliamentary Committee ("JPC") on the Personal Data Protection Bill, 2019 ("PDP Bill") presented the JPC's report ("Report") in parliament on December 16, 2021 ([available here](#)). The Report is divided into two parts, the first part sets out the background of data protection and privacy and gives an overview of the PDP Bill while the second part sets out the clause-by-clause examination of the PDP Bill. The Report now aims to include both personal and non-personal data under the ambit of data protection law of India and establishes a data protection authority. [Read more here](#)

MISCELLANEOUS

(VACCINES DEVELOPED AND THE TECHNOLOGY USED)

➤ MESSENGER RNA (mRNA) VACCINE

In this kind of vaccine genetically engineered mRNA is used. This vaccine instructs the muscle cells to make S (Spike) proteins on the surface of the COVID-19 virus which causes our body to create antibodies. Therefore, if anybody is infected with the COVID-19 virus, then these antibodies will fight the virus.

This technique is used by US companies such as Pfizer-BioNTech and Moderna and Indian Companies like Biocon, Dr Reddy's, Sun Pharma, Reliance LifeSciences, Intas and Lupin, etc.

➤ VECTOR VACCINE

Here, genetic material from the COVID-19 virus is placed in a modified version of a different virus (viral vector). This viral vector gets into the cells and after delivering genetic material from the COVID-19 virus it gives the cells instructions to make copies of the S protein. Then, the S proteins help to create antibodies and defensive white blood cells.

This technique is used by US Company Janssen/Johnson & Johnson, British- Swedish Company AstraZeneca (Serum Institute of India for India) and the University of Oxford.

➤ PROTEIN SUBUNIT VACCINE

Subunit vaccines include only the parts of a virus that best stimulate the immune system. It contains harmless S proteins. Once the S proteins are recognised by the immune system it creates antibodies and defensive white blood cells.

This technique is used by a US company Novavax.

➤ INACTIVATED VACCINE

In this technique the disease-carrying virus or bacterium, or one very similar to it is taken and inactivated or killed using chemicals, heat or radiation.

This technique is used by an Indian Company Bharat Biotech to make COVAXIN.

➤ **DNA COVID VACCINE**

This vaccine uses plasmids or small rings of DNA, to deliver the jab between two layers of the skin. These plasmids carry information to the cells to make the S protein which helps the immune system to fight with the virus.

This technique is used by an Indian Company Zydus Cadila to make the vaccine ZyCoV-D.