

FITFUL APPROACH: THE HINDU EDITORIAL ON WHATSAPP PRIVACY POLICY AND NEED FOR DATA PROTECTION LAWS

Relevant for: Security Related Matters | Topic: Basics of Cyber Security and related matters

The [Centre's recent notice to messaging service provider WhatsApp](#) to withdraw its [updated privacy policy](#) is an avoidable intervention into what is a legitimate business decision. WhatsApp, early this year, updated its privacy policy, according to which users would no longer be able to stop the app from sharing data (such as location and number) with its parent Facebook unless they delete their accounts altogether. WhatsApp initially proposed a February 8 deadline. But an intense backlash against this decision, triggering an exodus of its users to rival platforms such as Signal, forced WhatsApp to push the update to May 15. Eventually, it decided not to enforce this as well, preferring to, as a spokesman told this newspaper, "follow up with reminders to people over the next several weeks". WhatsApp has over two billion users in the world, about half a billion of whom are in India, and who use it for free. Its privacy updates are designed to make the business interactions that take place on its platform easier while also personalising ads on Facebook. That is how it will have to make its money. In its affidavit in the Delhi High Court, WhatsApp has reportedly said that it is not forcing users to accept the updated privacy policy. They have an option — to delete their accounts. And if WhatsApp is ready to take the risk of users abandoning it, why should the government intervene in the process? The Ministry of Electronics and IT (MeitY) has sought a response from WhatsApp within seven days.

In doing so, MeitY has made a charge that WhatsApp has discriminated against its Indian users. Its letter to WhatsApp reportedly states that given that Indians depend on it to communicate, "It is not just problematic but also irresponsible, for WhatsApp to leverage this position to impose unfair terms and conditions on Indian users, particularly those that discriminate against Indian users *vis-à-vis* users in Europe." First, it can be argued that there are enough alternatives to WhatsApp in the market. But more importantly, it has to be pointed out that Europe's citizens are protected by strong data laws that go by the name of General Data Protection Regulation or GDPR. Where is the Indian equivalent of such laws? When will they be implemented? These are questions that the government should answer. These questions become even more pertinent because WhatsApp has reportedly said in its affidavit that it is being singled out, and that its policy is not different from those of private apps such as Google, BigBasket, Koo, as well as public apps such as Aarogya Setu, Bhim, IRCTC, and others. A fitful approach to issues concerning the user may do more harm to India's approach to data protection and freedom than anything else.

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From the abrogation of the special status of Jammu and Kashmir, to the landmark Ayodhya verdict, 2019 proved to be an eventful year.

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