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16 June, 2015

Dear Ranishankarji

I write to you to bring to your attention recent reports in the media which suggest that Telecom Operators are indulging in practices that amount to a serious breach of privacy of their customers.

These reports suggest that a leading cellular company is surreptitiously injecting JavaScripts into its users' browsing sessions, without seeking user consent. The said JavaScript, developed by an Israel based programming company called Flash Networks, allegedly tracks and collates the browsing data and personal data of the user. This, if found to be true, is a very serious charge – and amounts to a gross and deliberate violation of user privacy.

Reportedly, these surreptitiously injected codes also insert advertisement like assets into the browser and thereby changes the user experience based on operator service used. In some ways, this could be seen as a violation of Net Neutrality principles.

After a young Bengaluru based programmer exposed this alleged malpractice through a GitHub thread, further reports have emerged in the press which indicate that many other prominent telecom operators, have also indulged in similar practices.

In the light of these news reports, I urge your Ministry to promptly undertake the following:

- i. Conduct a thorough and exhaustive enquiry into these allegations which suggest that telecom operators are tracking and collating personal data of Indian internet users.



- ii. Take strong action against telecom operators that are found to be guilty of violating the privacy of citizens.
- iii. Draft a robust and comprehensive Internet Privacy legislation that shall prevent telecom operators, Government or any other parties from prying on the private details of citizens through surreptitious means and clearly define the privacy rights of Indian netizens.

I may also add that the Israeli firm Flash Networks has since issued a Cease and Desist Notice to the young programmer, and followed this up with a Takedown Notice. If true, this is a clear case of a private corporation resorting to intimidation tactics against an individual, and should not be tolerated. It is unfortunate that the telecom operator in question has chosen to wash its hands off the issue and has not extended any support to their customer in this regard. This incident has reinforced the perception that telecom operators in India are indifferent to rights of consumers – especially with regard to privacy and data protection, thereby creating a public policy focus for you and your Ministry.

This episode has also thrown light upon crucial gaps that exist in the Indian internet and technology landscape - that shall have a direct, negative bearing on the very DNA of our country's future technological imprint, and your Ministry's laudable Digital India objectives. I urge you to take stock of these and ensure that prompt action is taken to correct these anomalies in a time bound and concerted manner.

Sincerely,

RAJEEV CHANDRASEKHAR

Shri Ravi Shankar Prasad
Hon'ble Minister of Communication & IT
Government of India
New Delhi

Encl: 1. Time of India article dated 9 June, 2015
2. The Wire article dated 9 June, 2015