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Jeeva
May

May 15, 2013

To,

The Public Information Officer,
Department of Telecommunications,
Sanchar Bhawan,
20, Ashoka Road,
New Delhi- 110001

Sir,

Sub: Application under the Right to Information Act, 2005 dated 15.05.2013

This is with reference to a news report in the Times of India dated May 7, 2013 in which it has been reported that 'Central Monitoring System' has been setup by the Government. This news report has been attached as 'Annexure - 1' to this letter.

Accordingly and apropos of the above:

i, Ms. Talish Ray, SFLC.IN, K-9, 2nd Floor, Birbal Road, Jangpura Extension, New Delhi-110014, wish to seek the following information:

1. How much money has been used uptill now to prepare, test and install the Central Monitoring System?
2. What measures are in place to prevent misuse of the system?
3. What is the designation of the person in charge of the Central Monitoring System and whom does he or she report to?

If the information sought herein is with any other public authority please transfer the application to such authority within a period of five days (as per S. 6(3) of the

Government can now snoop on your SMSs, online chats

Indu Nandakumar, ET Bureau | May 7, 2013, 05:46 PM IST



BANGALORE/DELHI: The government last month quietly began rolling out a project that gives it access to everything that happens over India's telecommunications network—online activities, phone calls, text messages and even social media conversations. Called the Central Monitoring System, it will be the single window from where government arms such as the National Investigation Agency or the tax authorities will be able to monitor every byte of communication.

But privacy and internet freedom advocates are worried that in the name of security, the government could end up snooping on people, possibly abusing a system that does not have enough safeguards to protect ordinary citizens.

"In the absence of a strong privacy law that promotes transparency about surveillance and thus allows us to judge the utility of the surveillance, this kind of development is very worrisome," warned Pranesh Prakash, director of policy at the Centre for Internet and Society. "Further, this has been done with neither public nor parliamentary dialogue, making the government unaccountable to its citizens."

Central Monitoring System will be the single window from where government will be able to monitor every byte of communication.

Since the Mumbai blasts in November 2008, the government has been arming itself with powers and technology to help it eavesdrop on digital communications. Information technology law, enacted in 2000 and amended twice in 2008 and 2011, gives designated government officials the authority to listen in on phone calls, read SMSes, emails, and monitor websites.

Such access is allowed for purposes of "reasonable security practices and procedures."

However, Pavan Duggal, a Supreme Court advocate specialising in cyberlaw, said the government has given itself unprecedented powers to monitor private internet records of citizens. "This system is capable of tremendous abuse," he said. The Central Monitoring System, being set up by the Centre for Development of Telematics, plugs into telecom gear and gives central and state investigative agencies a single point of access to call records, text messages and emails as well as the geographical location of individuals.

Duggal, who closely follows New Delhi's battle with internet firms, said there hasn't been much details from the government on what exactly the system intends to monitor and under what conditions.

In December 2012, the then information technology minister Milind Deora told Parliament that the monitoring system, on which the government is spending Rs 400 crore, will "lawfully intercept internet and telephone services".

Work on the system has been kept under wraps for nearly two years. Several government agencies have issued tenders seeking specialised equipment and systems for such monitoring.

As part of modernisation, the home ministry is updating all its offices in state capitals with such gear. C-Do group head Shikha Srivastava declined comment. Information technology ministry spokeswoman Mamta Verma redirected the queries to Gulshan Rai, director of India's Cyber Emergency Response Team, but declined comment.

With over 100 million users, India is one of the fastest-growing internet markets in the world. The government has come under criticism from activists for increased censorship and tracking of user records. Internet activist group Anonymous has started raising the pitch against the monitoring system, claiming that security is just a pretext for spying on citizens.

Disclosures by Google show that the number of requests from the government seeking personal information has been on the rise. In the second half of 2012, the government made nearly 2,500 requests, Google said.

"Even legitimate conversations could end up being tracked," cautioned Duggal, the Supreme Court lawyer.

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