

PrivacyNama, Announcing Speakers: AI Sovereignty and Cross-Border Data Flows, October 4 #Ad



SHARVEYA PARASNIS on SEPTEMBER 27, 2024

4 MINUTE READ



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We are pleased to announce the “AI Sovereignty and Cross-Border Data Flows” session on Day 2, October 4th, at MediaNama’s PrivacyNama 2024 conference.

Register to attend the **conference** online.

The “AI Sovereignty and Cross-Border Data Flows” panel discussion will focus on the various views among jurisdictions on ‘sovereign AI’ and its impact on cross-border data flows. What are the actions countries are taking to create sovereign AI? How does this affect cross-border data flows?

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Vivek Abraham, Senior Director, External Strategy - India & South Asia, Salesforce



Vivek is the Senior Director, External Strategy - India & South Asia for Salesforce, and part of the leadership at Salesforce India. In his current capacity, he advises on external strategy and works at the intersection of technology, policy, digital governance and geopolitics. He is also responsible for strategic initiatives with key stakeholders including government and industry, and is part of the India leadership team at Salesforce, and is currently helping to set up Salesforce's public sector business in India.

Rostam Neuwirth, Department Head, Global Legal Studies, University of Macau



Rostam J. Neuwirth is Professor of Law and Head of Department of Global Legal Studies at the University of Macau. Previously, he taught at the West Bengal University of Juridical Sciences (NUJS) in Kolkata and the Hidayatullah National Law University (HNLU) in Raipur (India) and worked as a legal adviser in the Department of European Law of the International Law Bureau of the Austrian Federal Ministry for Foreign Affairs. He received his PhD degree from the European University Institute (EUI) in Florence (Italy) and also holds a master's degree in law (LLM) from the Faculty of Law of McGill University in Montreal

He is the author of the books ‘The EU Artificial Intelligence Act: Regulating Subliminal AI Systems’ (Routledge 2023) and ‘Law in the Time of Oxymora: A Synaesthesia of Language, Logic and Law’ (Routledge 2018) as well as numerous other publications that focus on contemporary global legal problems by exploring the intrinsic linkages between law, on the one hand, and language, cognition, art, culture, society, and technology, on the other.

Amlan Mohanty, Independent Lawyer



Amlan Mohanty is a technology lawyer and policy advisor based in Bangalore, with over a decade’s experience working with tech companies, law firms, think tanks, and the government. Before going independent, he led Google’s public policy and government affairs portfolio in India across privacy, content regulation, competition, and artificial intelligence.

Prior to that, he worked at some of India’s most reputed law firms and has helped the Indian government develop landmark policies on privacy, content policy, and telecom. He is a non-resident scholar at Carnegie India and has taught courses at the National Law School of India University and Career Launcher.

During his time at NLSIU, he was chief editor of the Indian Journal of Law and Technology. He writes about the impact of technology on society on his website Techlawtopia.

Nehaa Chaudhari, Partner, Ikigai Law (Session Chair)



Nehaa is a partner with Ikigai Law, a technology focused law and policy firm. She heads Ikigai's tech advisory and public policy practice.

Per the Legal 500, she is one of India's best data protection lawyers, ranked 'Leading Individual' for several consecutive years, and is recognised for her TMT and aviation work as well. She is also a Chambers and Partners ranked TMT lawyer for several consecutive years.

Earlier, Nehaa worked with the Centre for Internet and Society, India (CIS), and the Berkman Klein Center at Harvard University. At CIS, she was the only Indian civil society representative in copyright and broadcast treaty negotiations at the WIPO, and wrote on intellectual property rights for UNESCO.

Date: October 4th, 2024

Time: 3:15 pm - 4:15 pm IST

Location: Virtual (Zoom)

Agenda and Programme:

Day one, October 3 (All timings in IST)

3:00 pm to 4:00 pm - Applying Data Protection Principles to AI

Session Chair: Pundrikaksh Sharma, Legal Associate, AZB and Partners

Speakers: Beni Chugh, Head - Future of Finance, Dvara Research; Udbhav Tiwari, Head of Global Product

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4:30 pm – 5:45 pm – Data Protection Officers Round Table on AI

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Session Chair: Jyotsna Jayaram, Partner, Trilegal

Speakers: Derek Ho, Senior Vice President, Assistant General Counsel, Privacy & Data Protection, Mastercard; Sriram SL, Data Protection Officer, Zomato; Mujgan Caba, Senior Compliance Officer, Truecaller; Idriss Kechida, Global Data Protection Officer, OpenAI.

5:30 pm – 7.00 pm – AI and Privacy in the Global South

Speakers: Nicolas Grossman, Project Director, Global Index on Responsible AI; Luca Belli, Professor, Fundação Getulio Vargas (FGV) Law School; Merl Chandana, Team Lead – Data, Algorithms and Policy Team, LIRNEasia; Linh Tong, Deputy Director, Center for Education Promotion and Empowerment of Women (CEPEW).

Day two, October 4 (All timings are in IST)

2:00 pm – 3:15 pm – Data Protection Authorities on AI and Data Protection

Session Chair: Malavika Raghavan, PhD Candidate, London School of Economics

Speakers: Markus Wünschelbaum, Policy & Data Strategy Advisor to Hamburg DPA, Germany, Jayantha Fernando, Director, CERT/CC, Sri Lanka.

3:15 pm – 4:15 pm – AI Sovereignty and Cross-Border Data Flows

Session Chair: Nehaa Chaudhari, Partner, Ikigai Law

Speakers: Vivek Abraham, Senior Director, External Strategy – India & South Asia, Salesforce; Rostam Neuwirth, Department Head, Global Legal Studies, University of Macau; Amlan Mohanty, Independent Lawyer.

Session Chair: Zainab Bawa, COO, Hasgeek

Speakers: Astha Kapoor, Co-Founder, Aapti Institute; Shweta Mohandas, Researcher, Centre for Internet and Society; Amol Kulkarni, Director (Research), CUTS International.

The final agenda may be subject to change.

This discussion is being organised with support from Meta and in partnership with CUTS, the Centre for Communication Governance at NLU Delhi, and the Digital Empowerment Foundation.

Note:

- **Registration does not guarantee attendance.** In case you fit our mandate for the intended audience, we'll send you a confirmation before the event.
- Your contact information will **never be shared with anyone outside of MediaNama.**

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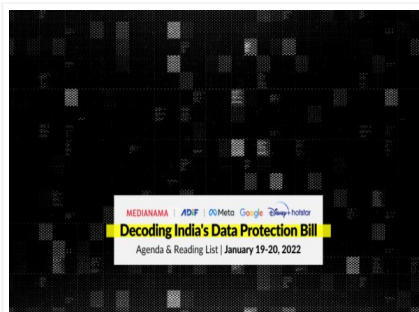
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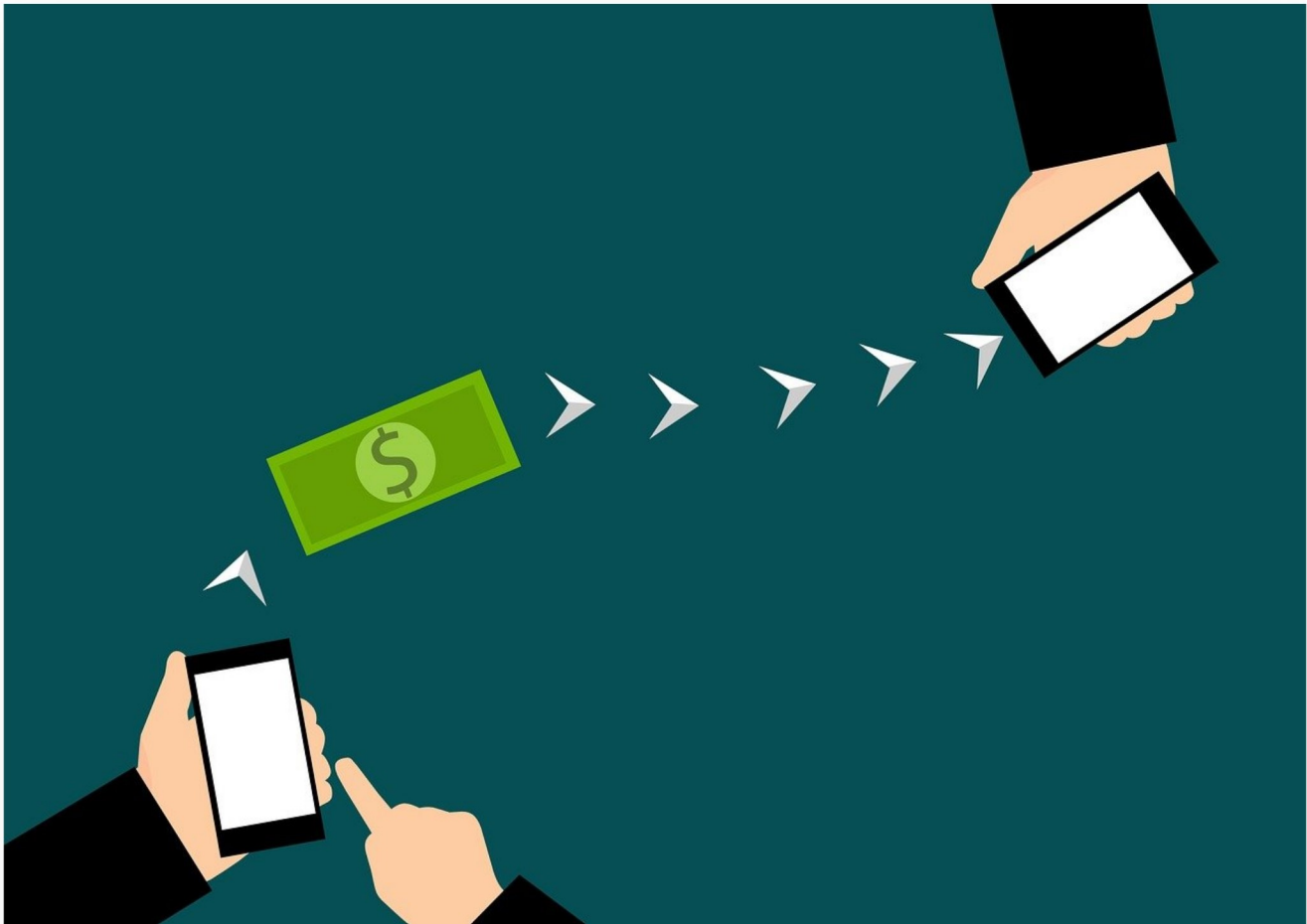
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National Payments Corporation of India to Develop UPI-Like Payments System for Trinidad and Tobago



SIMONE LOBO on OCTOBER 3, 2024

2 MINUTE READ



NPCI International Payments Limited (NIPL) **announced** a strategic partnership with the Ministry of Digital Transformation (MDT) of Trinidad and Tobago to develop a real-time payments platform similar to India's Unified Payments Interface (UPI), on September 27. This makes Trinidad and Tobago the first Caribbean nation to adopt UPI.

The platform will enable real-time payments for both person-to-person (P2P) and person-to-merchant (P2M) transactions, NPCI stated in a press release. The partnership is aimed at expanding digital payments in the country and fostering financial inclusion by leveraging the technology and experiences from India's

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The Spokesperson of the Ministry of Digital Transformation, Trinidad and Tobago, said that the partnership will encourage, “innovation in the Fintech sector, enhance the technical resiliency of the current payment infrastructure by providing a complementary, non-competing digital payments platform with increased security through the reduced use of cash.” Further, he stated that the successful implementation of the payment platform will contribute to the financial inclusion of Trinidad and Tobago’s unbanked citizens.

Colm Imbert, Trinidad and Tobago’s Minister of Finance, has previously cited India as a country to emulate for increasing financial inclusion. At the launch of the country’s [National Financial Inclusion Survey Report](#) in August 2024, he said, “Countries like India, which previously had a large financially underserved population, have become major players in the digital payment space, outpacing its allies and rivals. In 2022, 46% of real-time global digital transactions took place in India, and the nation has become the second-largest digital market in the world, closing in on China in first place. Indeed, as the world continues to become cashless, Indian software could dominate the financial world.”

Other countries adopting UPI

The NIPL also [announced a partnership](#) with the Central Reserve Bank of Peru (BCRP) to enable the deployment of a UPI-like real-time payments system in Peru allowing instant payments between individuals and businesses, reducing reliance on cash-based transactions and serving Peru’s large unbanked population.

Similarly, the NIPL also [partnered](#) with the Bank of Namibia to enhance Namibia’s financial infrastructure by developing a payment system similar to UPI. Ritesh Shukla, CEO, NPCI International said that the collaboration could improve financial access for underserved populations.

In addition to creating new systems, NIPL has also partnered with banks and merchants in [several countries](#) to enable UPI transactions at select merchant locations in a bid to benefit Indians travelling abroad, including the United Arab Emirates, Singapore, Nepal, and Bhutan.

Expanding UPI internationally is also a priority for the RBI. In the [annual RBI report](#), the Central Bank stated that it would be working with NPCI International Payments Ltd. (NIPL) to expand UPI to 20 countries by 2028-29. In its [Report on Currency and Finance 2023-24](#), it suggested that UPI could be pitched as a product to countries exploring readymade Fast Payment System (FPS) to adopt. It also stated that India can provide technical assistance to standardise processes and protocols across countries to make them compatible with the UPI.

Also Read:

- [NIPL To Implement UPI-like Digital Payments In Peru](#)
- [National Payments Corporation of India partners with Bank of Namibia, eyes deployment of digital payment system similar to UPI](#)
- [Which Countries Will Soon Accept UPI Payments And RuPay Cards? Here’s The Complete List \(Update: Mauritius\)](#)

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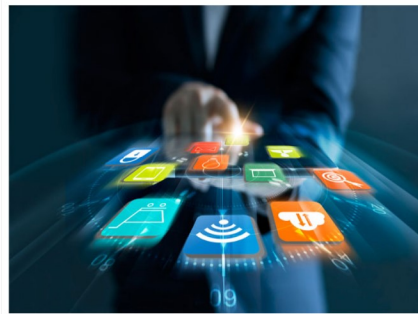
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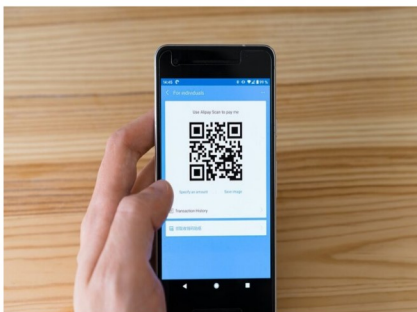
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Round-Up: Here are all the products launched at the Global Fintech Fest



UPI transactions surge to 14.4 billion in July 2024, 550 million increase from June



Live blog 2: the latest and the best demonetization updates



On Indian Mobile wallet apps and the sensitive user data they collect – Part 1



UPI transactions grow to 105 million in November 2017; Rs 9,679 cr transacted

RBI Warns Banks, NBFCs on Irregularities in Gold Loan Disbursals



SIMONE LOBO on OCTOBER 3, 2024

3 MINUTE READ



The Reserve Bank of India has **found** that certain banks providing loans against gold ornaments and jewellery through fintech entities have been deficient when it comes to valuation, KYC and credit appraisal, in a notification shared on September 30. The Central Bank conducted a review of various supervised entities providing loans against gold and found multiple deficiencies in their policies and processes. It shared its observations from the review and advised these entities to identify gaps within their processes. The RBI instructed entities to take appropriate remedial measures and inform the Senior Supervisory Manager (SSM) of Reserve Bank within three months.

RBI Governor Shaktikanta Das had previously noted in his **statement** at the 50th meeting of the Monetary Policy Committee (MPC) that Banks and NBFCs are offering top-up loans (additional credit that can be availed on top of an existing loan) on other collateralised loans like gold loans. He shared that certain entities were not adhering to the regulatory prescriptions relating to loan to value (LTV) ratio, risk weights and monitoring of end use of funds. Das said, "Such practices may lead to loaned funds being deployed in

The RBI's notification stated that there were shortcomings in the use of third parties for sourcing and appraisal of loans and valuation of gold without the presence of the customer. Further, there was a lack of transparency during auction of gold ornaments and jewellery on default by the customer.

What deficiencies did the RBI spot in loans provided through fintech entities?

The RBI noted the following shortcomings in the loans that banks granted in partnership with Fintech entities/ business correspondents (BC).

- i. Lenders carried out the valuation of gold in the absence of customer
- ii. The fintech entity/BC conducted the credit appraisal and valuation
- iii. The fintech entity/BC stored the gold in its custody
- iv. The gold's transportation to the branch was delayed and insecure.
- v. Fintechs conducted KYC compliance
- vi. Lenders used internal accounts to disburse as well as repay the loans

An [Economic Times report](#) in May 2024 revealed that the RBI had cautioned banks about gold loan disbursements through fintech entities, particularly the "evaluation process." The concerns come following the RBI's regulatory intervention against [IIFL Finance's gold loan business](#). The RBI found "serious deviations in assaying and certifying purity and net weight of the gold at the time of sanction of loans and at the time of auction upon default; breaches in Loan-to-Value ratio, significant disbursement and collection of loan amount in cash far in excess of the statutory limit, non-adherence to the standard auction process, and lack of transparency in charges being levied to customer accounts, etc."

What were the RBI's observations about the overall ecosystem for gold loans?

The RBI found that Banks/NBFCs lacked robust systems for periodical LTV monitoring and that they did not pursue alerts that the system generated. Entities did not follow regulations while applying risk weights and did not verify end use of funds for non-agriculture loans or properly retain documents for agriculture gold loans.

Banks and NBFCs failed to maintain specific identifiers for top-up gold loans in their Core Banking System (CBS) or Loan Processing System (LPS). Additionally, they did not conduct fresh valuations when sanctioning these top-up loans. Lenders renewed loans at the end of tenor, with only part payment.

The RBI also found that lenders closed many loan accounts within a short time from sanction and granted an unusually high number of gold loans to the same individual with the same PAN during a financial year. Customers also received low realisation from auction of gold on default.

Also Read:

- [RBI bans P2P lending companies from selling loans as investments in new guidelines](#)
- [RBI to create public repository for lending apps, increase UPI transaction limit](#)
- [BharatPe ventures into secured lending, partner with OTO Capital and Volt Money](#)
- [PhonePe launches digital lending for consumers with 15 partnered banks, NBFCs, and Fintech](#)

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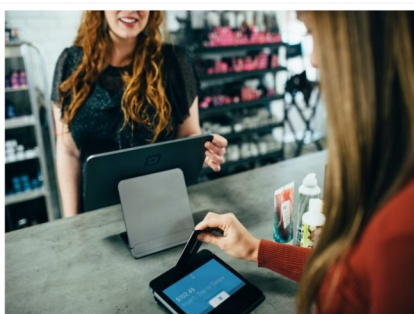
PhonePe gets RBI nod to become account aggregator, says more details to come



RBI bans P2P lending companies from selling loans as investments in new guidelines



RBI lifts restriction on Mastercard, allows banks to issue new cards on the network



Here's how Slice is changing to work around RBI's digital lending guidelines



Offline payment tech by HDFC Bank and Crunchfish goes live



RBI breaks silence on Paytm issue, will release FAQs on this next week

Australian Information Commissioner Halts GenAI Use for Child Protection Agency as ChatGPT Downplays Risk



KAMYA PANDEY on OCTOBER 1, 2024

3 MINUTE READ



A state-level Australian Information Commissioner has **ordered** Victoria state’s child protection agency to stop using generative AI services. According to the Information Commissioner, the agency staff entered a significant amount of personal information into ChatGPT to create a report about the risks a particular child might face if they continued to stay with their parents who were allegedly sexual offenders.

By using ChatGPT, the staff ended up downplaying the risks to the child, the Information Commissioner explained. For instance, the report ended up portraying the child’s doll— which the father used for sexual purposes— as the parents’ efforts to ensure that their child has “age-appropriate toys”. The Information Commissioner has ordered the child protection agency to implement Internet Protocol blocking and/or

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to access tools such as Google's AI overview.

Why it matters?

As indicated in the Information Commissioner's order, the agency's use of ChatGPT is "a very real example of the privacy risks associated with GenAI". It adds harm that can arise when someone uses personal information inappropriately when relying on these tools. AI tools are probabilistic in nature, which means that if someone types something like "Better late than..." as a prompt, the AI would finish the sentence with an output like "never" because there is a high probability that "never" is the outcome the user was hoping for, MediaNama's founder-editor Nikhil Pahwa **explained** during an event earlier this year.

This means that AI isn't looking for accuracy when giving answers, but rather just makes decisions based on what the user wants. As such, if government agencies were to rely on AI models, their decisions could be inaccurate, or potentially harmful, especially when dealing with sensitive personal information or critical situations involving vulnerable individuals. Besides this, governmental use of AI tools also poses privacy risks. In case any government agency puts out people's personal information into an AI chatbot, this information (such as the personal information of a child in the Australian case) would end up as a part of the AI companies' training dataset.

Governmental guidance for public service use of AI

In **November last year**, Australia came out with guidance for how the public sector should use AI tools. This guideline underlined two golden principles:

- Public service entities should assume that whatever information they enter into an AI model can become public. They should not reveal any classified, personal, or otherwise sensitive information.
- Public service entities should be able to explain, justify, and take ownership of their advice and decisions.

Besides this, the Australian government also suggested that public service entities should make it clear when their decisions are based on AI models. They must also acknowledge the biases present in AI tools, and must have processes in place to ensure that their decisions are fair and meet community expectations if they rely on an AI-generated output. Similarly, New Zealand has **also advised** public service bodies to not use generative AI for any sensitive data. It also advised them not to input personal data in GenAI tools if they are outside the public service body's network.

India also **put out a discussion paper** highlighting responsible AI principles in 2022. This paper says that AI systems must be reliable and must have built-in safeguards to protect stakeholders. They must also treat people in similar circumstances equally and not discriminate against individuals. Further, the principles state that the personal data of all individuals must be safe and secure, with only authorised personnel gaining access to it. However, these principles lack any specific instructions for government bodies in India, which highlights a gap in the country's policy frameworks.

Also read:

- **Can AI be blocked from providing controversial responses? #Nama**

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US Military Experiments With Generative AI Tools from OpenAI and Others



Evolving Classrooms: The Shift from Standardized to AI-Enhanced Education



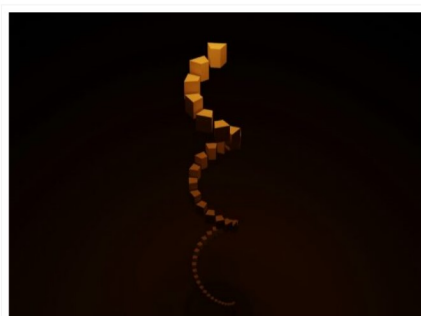
Meta changes privacy policy in the EU to use user posts for training AI models, faces complaints in multiple countries



LinkedIn to train AI models with users' data amid privacy concerns over silent opt-in approach



Chinese firm SenseTime and e-commerce giant Alibaba roll out



Indian Govt to collect non-personal data for training AI models: What

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Final Call: PrivacyNama 2024, October 3 and 4 #Ad



SHARVEYA PARASNIS on OCTOBER 1, 2024

3 MINUTE READ



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The fourth edition of PrivacyNama, MediaNama’s flagship conference on technology and privacy, is only a few days away. The event will focus on the technological revolution heralded by Artificial Intelligence (AI) and its implications on privacy regulations and practices.

With a stellar roster of policy experts, data protection authorities and researchers from across the globe, PrivacyNama 2024 is sure to be compelling and enriching experience.

Registrations close on October 3rd

So **register quickly** if you haven’t already

We will be discussing questions like is privacy preserving AI possible? How do we deal with AI trained on mixed-datasets that contain both personal and non-personal data scraped from the Internet? How do

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datasets? How can AI systems be classified according to their usage of personal data? India's Digital Personal Data Protection Act (DPDPA), although not enabled yet, raises the question about how privacy can be preserved, especially since the law enables publicly disclosed personal data outside the ambit of data protection.

Additionally, from a facilitative perspective, how can non-personal data be made available for training datasets, especially for voice, image and video, in order to address bias, discrimination and providing region specific solutions, while ensuring privacy? What role does open-sourcing of LLMs have in deployment, and how is this impacted by data protection regulations?

The complete agenda and programme, alongside the speakers is given below. Additionally, we have also [published a reading list](#) that can help you prepare for the discussion.

Agenda and Programme

Day one, October 3 (All timings in IST)

3:00 pm to 4:00 pm - Applying Data Protection Principles to AI

Session Chair: Pundrikaksh Sharma, Legal Associate, AZB and Partners

Speakers: Beni Chugh, Head - Future of Finance, Dvara Research; Udbhav Tiwari, Head of Global Product Policy, Mozilla Foundation; Sreenidhi Srinivasan, Partner, Ikigai Law.

4:30 pm - 5:30 pm - Data Protection Officers Round Table on AI

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Speakers: Derek Ho, Senior Vice President, Assistant General Counsel, Privacy & Data Protection, Mastercard; Sriram SL, Data Protection Officer, Zomato; Mujgan Caba, Senior Compliance Officer, Truecaller; Idriss Kechida, Global Data Protection Officer, OpenAI.

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Speakers: Nicolas Grossman, Project Director, Global Index on Responsible AI; Luca Belli, Professor, Fundação Getulio Vargas (FGV) Law School; Merl Chandana, Team Lead - Data, Algorithms and Policy Team, LIRNEasia; Linh Tong, Deputy Director, Center for Education Promotion and Empowerment of Women (CEPEW).

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3:15 pm – 4:15 pm – AI Sovereignty and cross-border data flows

Session Chair: Nehaa Chaudhari, Partner, Ikigai Law

Speakers: Vivek Abraham, Senior Director, External Strategy – India & South Asia, Salesforce; Rostam Neuwirth, Department Head, Global Legal Studies, University of Macau; Amlan Mohanty, Independent Lawyer.

4:15 pm – 5:30 pm – Data Trusts, Non-Personal Data and AI

Session Chair: Anwasha Sen, Assistant Programme Manager, The Takshashila Institution

Speakers: Astha Kapoor, Co-Founder, Aapti Institute; Shweta Mohandas, Researcher, Centre for Internet and Society; Amol Kulkarni, Director (Research), CUTS International.

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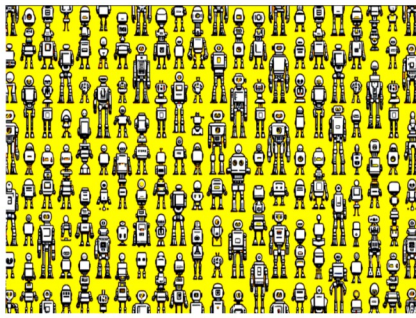
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Last Call: AI for Journalists online workshop on June 20-21



Event announcement: 'Governing the AI Ecosystem', July 11, 2024



Agenda: Governing the AI Ecosystem, July 11, 2024



Revised Agenda and Reading list: Governing the AI Ecosystem, July 11, 2024



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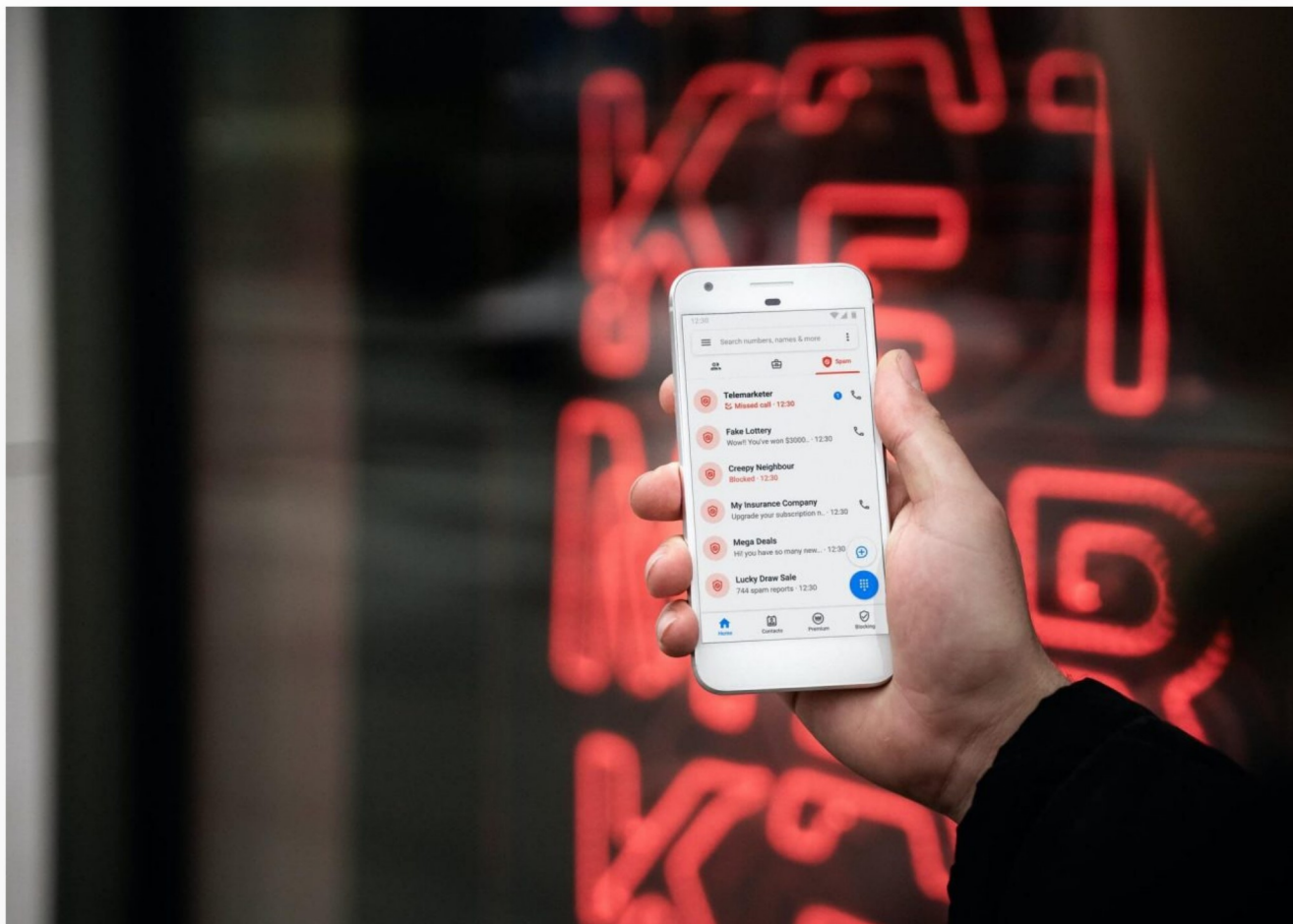
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Why every telecom company may soon launch AI based spam prevention



KAMYA PANDEY on OCTOBER 1, 2024

3 MINUTE READ



A day after Bharti Airtel released its artificial intelligence (AI) based spam detection system, BSNL **announced** that it plans to do the same. The company mentioned that its AI/ML (machine learning) powered solution to spam is in the final stages and that it has designed the solution to “neutralize & eliminate scams” before they reach the user.

With two out of four telecom companies announcing their spam solutions, one is inclined to believe that the other two — Reliance Jio and Vodafone Idea (Vi) — will also follow suit. This is highly likely considering the fact that in **June last year**, the Telecom Regulatory Authority of India (TRAI) had instructed telecom companies to deploy AI/ML-based systems to detect unauthorised commercial communication (spam calls and messages).

These systems would also ensure that telcos comply with the amendments to the Telecom Commercial Communication Customer Preference Regulations, 2018 (TCCCPR-2018) that the regulator recently proposed in its **consultation paper**. This paper suggests that telcos must have a proactive mechanism where they track users if they are sending more than a prescribed number of calls/messages in a day.

TRAI's AI/ML spam detection directive:

TRAI's directive stated that the AI/ML-based spam detection system must identify those business entities

The system must also factor in the age of a user's subscription, authentication at the time of subscription, address verification method, and SMS sending/ calling pattern. The regulator argued that while spammers are typically quick to change tactics, an AI/ML-based spam detection system would be able to evolve and deal with the new patterns and new spam techniques.

Even prior to TRAI's directive, telecom companies were already working on AI/ML-based spam detection measures. According to a [MediaNama report](#), Vi had proposed a system that uses AI/ML to detect patterns of fraudulent messages in March last year. The regulator had even given Vi permission to conduct a trial based on its proposed system, stating that TRAI would draft its spam regulations factoring in AI/ML solutions.

Limiting the AI/ML solution to detection:

In its [press conference](#) announcing the spam solution, Airtel said that it is currently limiting the scope of its AI to detection, even though it can block callers. "The reason we're not blocking right now is because there are some false positives, for example, a call coming from a Swiggy, could show up as spam but its not necessarily spam," Gopal Vittal, Airtel's Managing Director explained. He said that he has written to telco CEOs to cross-share data of business-to-business (B2B) users. "Because I would much rather say Swiggy calling," he added.

Without this cross-sharing, the average user might ignore calls marked as suspected spam even if they actually needed to communicate with the business, which currently emerges as a drawback for Airtel's spam detection measure. For instance, let's say you ordered a watch from a company, and the company is giving you a call to update you about the status of your purchase or its delivery. If a user sees this call marked as spam they might not answer the phone, thereby missing crucial information. Similarly, for businesses, it could become much harder to reach their customers.

Vittal also spoke about TRAI's recommendation for caller IDs in the telecom ecosystem. He argued that instead of identifying all callers, this system would be more effective if telcos could just implement it for B2B callers. "If I [the user] know which company is calling, then it a straight benefit to the user, and for the P2P [person to person] messaging, CNAP will not help, you need a solution," he argued.

Also read:

- [Airtel Introduces AI Spam Detection: Alerts Users on Suspicious Calls, Messages, and Malicious URLs](#)
- [Telecom Regulator instructs access providers to deploy an AI and Machine learning enabled spam detection system](#)
- [India's telecom regulator doubles down on its efforts to curb spam](#)

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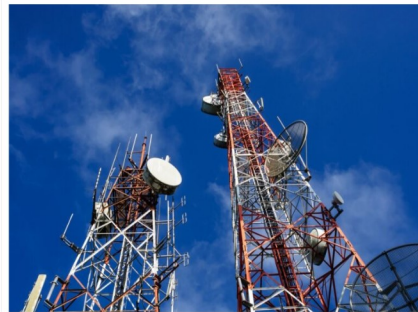
Broadband connections in India increased by 0.47% in April: TRAI monthly data



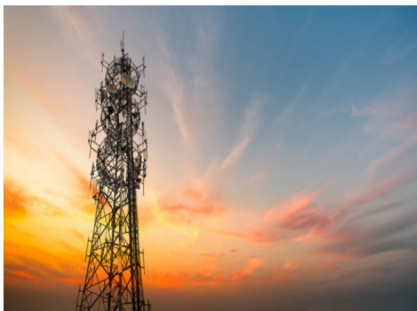
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