

Data Privacy Policy of DGCI&S

Data Dissemination by DGCI&S

Foreign trade data is disseminated by DGCIS through (i) Monthly & Quarterly publications in CD form and (ii) Generation of data from the Foreign Trade database as per user's request.

Purpose of the Privacy Policy

The privacy policy for suppression of trade data envisages maintaining confidentiality of importers' or exporters' information in published Indian trade statistics. The aim of the policy is to provide, on request, protection for commercially sensitive business data, while minimizing the level of reduction in the usefulness of the published and publicly available data.

Scope and Responsibility

Data suppression is to be done in all publications and in websites through which data are publicly available. Priced data will not include the suppressed data which are provided to users by DGCIS.

Privacy Policy for Release of India's Foreign Trade Statistics

Detailed foreign trade statistics of India are currently published without any suppression. If an exporter and/or importer requests for suppression as per the data privacy policy, aggregated data that identifies individual trade transactions may be suppressed in the publicly available tables in respect of quantity, at the discretion of the competent authority in DGFT/DoC.

Where such a request is received from any company to the designated authority, DGCIS will verify the alleged identification risk. If it is concluded that a risk of identification exists, either directly or by deduction, then DGCIS will amalgamate the relevant items with other trade transactions to prevent disclosure. These arrangements will be put in place for discrete periods up to a maximum of two years. If no identification risk is found, the request for data privacy will not be entertained.

Suppression of trade transactions by GOI will not provide total assurance of confidentiality as the GOI may choose to disclose details from the export and import entry documents which provide the source for overseas trade statistics.

Procedure to register a request for data privacy

Requests for privacy of merchandise trade data must be submitted in writing by the exporter or importer, on their letterhead, and signed by a senior executive of the company. The request must contain:

1. IEC code(s) used to export or import
2. the 8-digit ITCHS code that requires privacy protection
3. the activity the firm is involved in, i.e. importing or exporting
4. the length of the privacy protection required
5. Reason for privacy protection request along with documentary evidences

Requests should be submitted to:
Directorate General of Foreign Trade

Department of Commerce
Ministry of Commerce and Industry
Udyog Bhawan,
New Delhi 110 107

Processing the request for data privacy

DGFT will send the request of data privacy to DGCIS. DGCIS will verify the claim of an exporter and/or importer based on the transaction level EXIM data of export or import from past yearly data as well as IEC code and name as supplied. The onus is on the applicant to supply the correct information.

In this respect the value traded by the company for a particular item at 8-digit level of ITCHS is to be checked (a) for its share in total trade value of that item, and (b) for its share in total trade value at corresponding 6-digit level. Also the number of other companies trading in that item is also to be checked along with their share in trading that item.

Following points are to be checked w.r.t.8-digit ITCHS:

- The 8-digit ITCHS should have trade share $\geq 60\%$ at 6-digit level (to check its importance in trade).
- The company has trade share $\geq 50\%$ of that 8-digit ITCHS with total number of trading companies < 10 .
- The company has trade share $\geq 70\%$ of that 8-digit ITCHS with total number of trading companies ≥ 10
- Recommendation of data suppression based on this verification would be submitted to DGFT/DoC for consideration.

Cases for data privacy protection will be considered as per request of a company with lion share in trade. If a company with lower share in trade applies for data privacy protection, but a company with higher share does not apply for the same, then data privacy protection would not be considered on the presumption that if the interest of larger trading company is not affected the interest of the other company/companies would not be affected in trading the same commodity.

Application of Data Privacy Policy in DGCIS

On the receipt of approval from DGFT/DOC data would be suppressed in all tables in future publications of MSFTI and SFTIC where 8-digit level data is available and in data supplied to users. All the items for which data is to be suppressed would be recoded "99999999" or "xxxxxxx" (suppressed code) before generating tables for publications. For this code, only value would be published and country wise segregation would not be shown. For other items data would be published as usual. The corresponding 6-digit level would not include the data of these suppressed items.

Privacy protection will apply to the entire ITCHS 8-digit code. Protection of privacy of data for exports to or imports from specific countries for the identified ITCHS code will not be considered.

Data privacy protection will be activated in time for the scheduled release of foreign trade statistics of MSFTI and SFTIC in subsequent months after getting approval from the competent authority. If this is

not possible, the request will be implemented before the scheduled release of trade statistics relating to the following reference month.

The length of the privacy protection will be based on the assessment of how long the data is commercially sensitive and will be in force for a maximum of up to two years with the lifting of the suppression every year for items older than 24 months. After the completion of the period of privacy protection, DGCIS will recheck the necessity for extension of the privacy protection period. Privacy protection will be continued if necessary taking approval from the competent authority for further continuation. Once this privacy protection period expires, these items will be assigned back to their correct ITCHS code.

If a decision to suppress data is taken by the competent authority it would be done for the whole privacy protection period, even if the company holds a major share of the trade in the beginning of a period and lesser share in later months of the period.