

AS INTRODUCED IN THE RAJYA SABHA
ON THE 5TH DECEMBER, 2025

Bill No. XXVIII of 2025

THE INFORMATION TECHNOLOGY (AMENDMENT)
BILL, 2025

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further to amend the Information Technology Act, 2000.

BE it enacted by Parliament in the Seventy-sixth Year of the Republic of India as follows:—

1. (1) This Act may be called the Information Technology (Amendment) Act, 2025.

Short title and
commencement.

- 5 (2) It shall come into force at once.

Insertion of
new section
43B.

Liability of
digital
service
providers for
inaccurate or
misleading
technological
guidance and
compensation
for faulty
algorithm,
misleading
data,
incorrect
mapping etc.

2. In the Information Technology Act, 2000, after section 43A, the following new section shall be inserted, namely:—

21 of 2000.

"**43B.** (1) Any person or entity either operating a digital service platform or providing a digital service or both, including but not limited to mapping, navigation, or automated route guidance services or apps, shall ensure accuracy and reliability of the information so provided, in such manner as may be prescribed. 5

(2) Where any digital service provider, such as a navigation app, is found to be negligent in providing accurate and reliable information due to its faulty algorithm, misleading data, or incorrect mapping and the misleading or inaccurate navigation guidance results in bodily harm, injury, or death, of any user of such services, such service provider shall be liable to pay compensation up to twenty-five lakh rupees to the person so affected or to the legal heir and shall also in addition be liable to the criminal liability under the existing laws for the time being in force. 10 15

Explanation:— For the purposes of this section,—

(a) digital service provider includes any individual, private agency, private company, partnership firm, sole proprietor firm or any such other body or agency which has been granted permission by the appropriate Government to offer services through digital or electronic means in accordance with the policy governing such service sector; and 20

(b) navigation app means an application that provides navigational directions in real time and includes any mapping app, Global Positioning System or navigation system. 25

(3) The liability under sub-section (2) shall not be excluded solely on the basis of a general disclaimer accepted by the user, unless the provider demonstrates that—

(a) the erroneous guidance resulted from *force majeure* conditions beyond reasonable technological control; or 30

(b) the user was sufficiently warned of the risk and expressly disregarded safety advisories in reliance on such information."

STATEMENT OF OBJECTS AND REASONS

Recently, two 29-year-old doctors lost their lives in Kerala, India, when their car plunged into the Periyar River while following a route recommended by Google Maps. This tragic event highlights the perilous outcomes of over-reliance on technology. In a similar incident, three individuals *enroute* to a wedding in Bareilly, Uttar Pradesh, also fell into a river while adhering to Google Maps' guidance. This serves as a reminder that the information provided by Google Maps is not always reliable and can sometimes lead users astray. Furthermore, a family from Bihar inadvertently found themselves in the forests of Karnataka after using Google Maps for directions to Goa. In the 2011 case of *Rosenberg vs. Harwood* in the United States, a district court in Utah dismissed a woman's lawsuit after she was hit by a vehicle while trying to cross a busy road, which she navigated using Google Maps. The woman sued both Google and the driver, but the Court determined that there was no direct legal relationship between her and Google. In India, incidents resulting from inaccurate Google Maps data are becoming a significant concern. As technology has advanced, more people are relying on Google Maps on their smartphones for navigation. However, accidents can sometimes occur due to erroneous information or directions provided by the app. According to Section 43A of the Information Technology Act, 2000, all organizations must take reasonable measures to ensure the security and accuracy of their users' data.

The use of navigation apps is growing rapidly each year; however, there is a significant gap in legal regulations to guarantee their accuracy. To improve traveller safety, it is crucial to revise the provisions of the IT Act. Therefore, this Bill seeks to fix liability on the part of the digital service provider, such as a navigation app, if it is found to be negligent in providing reliable and accurate information due to its faulty algorithm, misleading data, or incorrect mapping, resulting in bodily harm, injury, or death of the user concerned and to pay suitable compensation to the persons affected.

Hence, this Bill.

AJEET MADHAVRAO GOPCHADE.

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further to amend the Information Technology Act, 2000.

(Dr. Ajeet Madhavrao Gopchade, M.P.)