

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
RAJYA SABHA
UNSTARRED QUESTION NO. 684
TO BE ANSWERED ON: 08.02.2019

LAW ON DATA PROTECTION AND PRIVACY.

684. SHRI P. L. PUNIA:

Will the Minister of ELECTRONICS AND INFORMATION TECHNOLOGY be pleased to state:

- (a) whether it has taken more than a decade for Government to draft a law on data protection and privacy, if so, the reasons therefor;
- (b) whether the issue of data protection and privacy kept on shifting from Ministries to Ministries in the past decade, if so, the reasons therefor; and
- (c) the present status of the bill on data protection and privacy?

ANSWER

MINISTER OF STATE FOR ELECTRONICS AND INFORMATION TECHNOLOGY
(SHRI S.S. AHLUWALIA)

(a),(b) and (c): In the year 2012 group of experts on privacy constituted by Planning Commission and headed by Justice A.P. Shah former Chief Justice, High Court of Delhi submitted its report. Then there were significant developments in this area and the Supreme Court in its judgement on 24th August, 2017 in the writ petition (civil) number 494 of 2012 (K.S. Puttaswamy v. UOI) – declared privacy as a Fundamental Right and intrinsic part of the Right to Life and personal liberty under Article 21 and a part of the freedoms guaranteed by Part-III of Constitution. The Government on 31st July, 2017 had constituted a Committee of Experts under the Chairmanship of Justice B N Srikrishna, Former Judge, Supreme Court of India to study issues related to Data Protection. The Srikrishna Committee deliberated on various issues and brought out a White Paper on Data Protection that laid down the principles. Thereafter, the Committee submitted its report along with draft Bill to MeitY. The report and the draft Bill were placed in the public domain and comments were sought. Feedback has been received and based on the analysis of the feedback received certain modifications in the bill are being carried out and steps are afoot to bring about data protection legislation. The Personal Data Protection Bill 2019 is intended to be tabled soon in the parliament. In view of the above developments, the time is ripe for enactment of law for Personal Data Protection.
