

GOVERNMENT OF INDIA  
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY  
**RAJYA SABHA**  
**UNSTARRED QUESTION No. 252**  
TO BE ANSWERED ON: 21.07.2023

**SAFEGUARDS FOR SHARING DIGITAL PERSONAL DATA**

**252. DR. ASHOK KUMAR MITTAL:**

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

- (a) whether there are policies/schemes/statutes currently governing the domain of digital personal data;
- (b) whether the citizens have the option to opt out of sharing personal data on digital platforms;
- (c) the details regarding the scope of consent in the event of sharing personal data of any kind;
- (d) the details of the scope of rights of the Data Principal upon the breach of privacy of the data shared digitally or stored digitally by the Data Fiduciary; and
- (e) whether any data protection technologies are currently available to safeguard the privacy of citizens, if so, their security capacity thereof?

**ANSWER**

MINISTER OF STATE FOR ELECTRONICS AND INFORMATION TECHNOLOGY  
(SHRI RAJEEV CHANDRASEKHAR)

(a) to (d): To protect personal data of users, the Central Government, in exercise of its powers under the Information Technology Act, 2000, has prescribed reasonable security practices and procedures and sensitive personal data or information through the Information Technology (Reasonable Security Practices and Procedures and Sensitive Personal Data or Information) Rules, 2011.

These include the requirement that any person collecting, receiving, possessing, storing, dealing or handling information provided should publish on its website a policy for privacy and disclosure of personal information, that such person use the information collected for the purpose for which it was collected and keep it secure, that disclosure of sensitive personal data be done with prior permission of the information provider, that sensitive personal data or information not be published, and that a third party receiving sensitive personal data or information shall not disclose it further.

Section 72A of the Act provides for punishment for disclosure of information in breach of the lawful contract. It provides that any person including an intermediary who, while providing services under the terms of lawful contract, has secured access to any material containing personal information about another person, with the intent to cause or knowing that he is likely to cause wrongful loss or wrongful gain discloses, without the consent of the person concerned, or in breach of a lawful contract, such material to any other person, shall be punished with imprisonment for a term which may extend to three years, or with fine which may extend to five lakh rupees, or with both.

In order to further strengthen the governance of digital personal data, the Government is working on a Digital Personal Data Protection Legislation.

(e): There are various data protection technologies available to safeguard the privacy of citizens. These include encryption, access controls, anonymization and pseudonymization, data loss prevention systems, firewalls, and intrusion detection/prevention systems. The security capacity of these technologies depends on their implementation, configuration, and adherence to best practices.

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