

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
RAJYA SABHA
UNSTARRED QUESTION NO. 1499
TO BE ANSWERED ON: 01.08.2025

STEPS TO PREVENT AUTHORIZED ACCESS, USE AND SALE OF PERSONAL DATA

1499. SHRI SADANAND MHALU SHET TANAVADE:

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

- (a) whether Government is aware of rising spam calls, fraudulent WhatsApp/video calls, phishing scams and impersonation frauds exploiting citizens' personal data;
- (b) whether any link has been established between such frauds and illegal trade of personal data by telemarketers and third-party data brokers;
- (c) the steps taken under the Digital Personal Data Protection (DPDP) Act, 2023 to prevent unauthorized access, use and sale of personal data;
- (d) the role of the Data Protection Board in enforcement and grievance redressal; and
- (e) whether budgetary or digital infrastructure support has been allocated for effective implementation of the Act?

ANSWER

MINISTER OF STATE FOR ELECTRONICS AND INFORMATION TECHNOLOGY
(SHRI JITIN PRASADA)

(a) to (e): Government remains conscious of the harms caused by exploitation of the personal data by means like spam calls, fraudulent WhatsApp/video calls, phishing scams and impersonation frauds.

Government has enacted the Digital Personal Data Protection Act, 2023 (DPDP Act), which provides for the processing of digital personal data in a manner that recognises both the rights of individuals to protect their personal data and the need to process such data for lawful purposes.

It establishes a rights-based, consent-driven framework that empowers individuals to exercise control over their personal data. Under the DPDP Act, Data Fiduciaries must obtain informed consent before processing personal data for lawful purposes. Data Fiduciaries may deploy APIs for this purpose.

The notice to be provided by Data Fiduciaries, must clearly specify:

- What personal data is being collected
- Specific purpose for each personal data use;

- How users may exercise their rights (access, erasure, grievance redressal, nomination etc); and
- Procedure to submit complaints to the Data Protection Board.

DPDP Act envisages establishing the Data Protection Board, a digital by design entity, with the following key functions:

- To give directions for remediating or mitigating data breaches
- To inquire into data breaches and complaints and impose financial penalties
- To refer complaints for Alternate Dispute Resolution and to accept Voluntary Undertakings from Data Fiduciaries; and
- To advise the Government to block the website, app etc. of a Data Fiduciary who is found to repeatedly breach the provisions of the Act.

Until the operationalization of the DPDP Act and rules, The Information Technology (Reasonable Security Practices and Procedures and Sensitive Personal Data or Information) Rules, 2011 under the IT Act prescribes reasonable security practices and procedures to protect sensitive personal data of users.

Department of Telecommunications (DoT) has launched Sanchar Saathi Portal (<https://sancharsaathi.gov.in/>) in May, 2023 to report suspected fraud communications and the incoming international calls received with Indian Number. It has yielded following outcomes for prevention of misuse of telecom resources for cyber frauds:

Sno.	Item Description	Outcome
1.	Mobile number disconnected based on AI based analysis, citizens feedback, inputs from stakeholders and exceeding individual limit	4.7 crore
2.	Mobile handsets blocked	5.1 lakh
3.	Bulk SMS senders (Principal Entities) blacklisted	20,096
4.	Profiles/accounts disengaged by WhatsApp associated with shared mobile connections	24.46 lakh

Ministry of Home Affairs has also established the Indian Cyber Crime Coordination Centre to deal with cyber-crimes in a comprehensive and coordinated manner.
