

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
RAJYA SABHA
UNSTARRED QUESTION NO. 2287
TO BE ANSWERED ON: 19.12.2025

**DILUTION OF PROVISION OF RTI ACT VIDE SECTION 44(3)
OF DIGITAL PERSONAL DATA PROTECTION ACT, 2023**

2287. SHRI K.R. SURESH REDDY:

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

- (a) whether the amendment to Section 8(1)(j) of the RTI Act through Section 44(3) of the Digital Personal Data Protection Act, 2023 undermines transparency and public interest under the guise of privacy;
- (b) the details of the categories of information that are considered to be 'personal information' in this regard; and
- (c) the steps proposed to ensure that the DPDP Act does not dilute the RTI regime's original intent to enable democratic oversight and prevent arbitrary denial of information?

ANSWER

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

(a) to (c): The Digital Personal Data Protection Act, 2023 ("DPDP Act") provides for the processing of digital personal data in a manner that recognises both the rights of citizens to protect their personal data and the need to process such personal data for lawful purposes.

The DPDP Act traces its origin to the Supreme Court's 2017 Puttaswamy judgment, which mandated a statutory framework for data protection in India. It was subsequently developed through successive draft Bills, culminating in its enactment.

The DPDP Act was enacted after extensive consultation with civil society and widely debated in various parliamentary forums including committees. The Government had examined over 22,600 suggestions.

As per the Act, personal information means any data about an individual who is identifiable by or in relation to such data.

The objectives of the Right to Information Act ("RTI Act") remain strong because section 8(2) continues to allow the disclosure of personal information in public interest. Section 8(2) of RTI Act reads as follows:

“Notwithstanding anything in the Official Secrets Act, 1923 (19 of 1923) nor any of the exemptions permissible in accordance with sub-section (1), a public authority may allow access to information, if public interest in disclosure outweighs the harm to the protected interests.”

The amendment in section 8(1)(j) of the RTI Act aligns with the Puttaswamy judgement without compromising public interest. Public interest remains protected through section 8(2) of RTI Act. Thus, the amendment merely codifies and reinforces the judicial principles. It ensures that personal information is disclosed in accordance with law.
