

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
LOK SABHA
UNSTARRED QUESTION NO. 665
TO BE ANSWERED ON 16.09.2020

FARAMEWORK LAW FOR DIGITAL RIGHTS

665 : SHRI D.M. KATHIR ANAND:

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

- (a) whether the Government has taken any steps to introduce a Framework Law for Digital Rights to ensure people- centric governance of digital data;
- (b) if so details thereof; and
- (c) the actions taken by the Government against companies failing to protect data privacy during the last two years?

ANSWER

MINISTER OF STATE FOR ELECTRONICS AND INFORMATION TECHNOLOGY
(SHRI SANJAY DHOTRE)

(a): No, Sir.

(b): Does not arise.

(c): The affected citizen can exercise legal recourse under Section 43A and Section 72A of the Information Technology (IT) Act, 2000, which provides for privacy and security of data in digital form. Section 43A provides for compensation to be paid to the victim in case of wrongful loss or wrongful gain caused due to negligence in implementing and maintaining reasonable security practices and procedures by a body corporate in dealing with sensitive personal data. Section 72 A provides for punishment to 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. To further strengthen the legal framework, the Government constituted a Committee of Experts on Data Protection, chaired by Justice (Retd) B.N. Srikrishna, Supreme Court of India to study various issues relating to data protection, which submitted a draft Personal Data Protection (PDP) Bill. Based on the recommendation of the Committee of Experts and a multitude of feedback received from diverse stakeholders, the draft Bill has been duly updated and the PDP Bill 2019 has been introduced in the Parliament during the winter session 2019. The Bill has been referred to a Joint Committee of the Parliament and the Committee is deliberating on the subject.
