

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
LOK SABHA
UNSTARRED QUESTION NO. 3634
TO BE ANSWERED ON: 17.03.2021

ACTION AGAINST WHATSAPP

3634. SHRI MANOJ KOTAK:

Will the Minister of Electronics & Information Technology be pleased to state :

- (a) whether some social media companies are taking advantage in view of lack of legislation in the country dealing with data protection and if so, the details thereof;
- (b) whether the Government has taken any action against whatsApp for compelling their users in India to accept their updated policy on sharing of data and if so, the details thereof?

ANSWER

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

(a): The Information Technology (Reasonable security practices and procedures and sensitive personal data or information) Rules, 2011 notified under Section 43A of the Information Technology Act, 2000 defines sensitive personal information and also mandate that body corporate must provide policy for privacy and disclosure of information, so that user is well aware of the type of personal data collected, purpose of collection and usage of such information. The rules also specify mode of collection of information, disclosure of information, transfer of information, etc. Social media companies are body corporate.

Also, section 72A of the IT Act provides for punishment for disclosure of information in breach of the lawful contract.

Ministry of Electronics and Information Technology has introduced the Personal Data protection Bill, 2019 in parliament during the winter session of 2019. The Bill has been referred to a joint committee of the Parliament.

(b): Ministry of Electronics & Information Technology (MeitY) took cognizance of the WhatsApp announcement of its new Privacy Policy stated to be applicable to Indian users. To safeguard the interest of Indian users, Ministry of Electronics and Information Technology (MeitY) has asked WhatsApp to review the proposed privacy policy changes and also to explain the rationale of the same.
