

**GOVERNMENT OF INDIA
MINISTRY OF EDUCATION
DEPARTMENT OF SCHOOL EDUCATION AND LITERACY**

**LOK SABHA
UNSTARRED QUESTION NO. 2516
TO BE ANSWERED ON 1st AUGUST, 2022**

Framing of Data Protection Rules

2516. SHRI SYED IMTIAZ JALEEL:

Will the Minister of EDUCATION be pleased to state:

- (a) whether the Government has developed/ implemented data protection rules to safeguard data of Indian children from commercial exploitation including by foreign companies through online studies and if so, the details thereof;
- (b) if not, the steps taken/being taken to ensure the same;
- (c) whether there is any agency tasked to undertake a technical examination to verify compliance with any guidelines issued in this regard and if so, the details thereof;
- (d) whether parents can demand to provide all information collected on the child by Edtech companies; and
- (e) if so, whether such information can be deleted and if so, the details thereof?

ANSWER

**MINISTER OF STATE IN THE MINISTRY OF EDUCATION
(SMT. ANNPURNA DEVI)**

(a) to (e) Yes, Sir. Section 43A of the Information Technology Act, 2000 and the Information Technology (Reasonable security practices and procedures and sensitive personal data or information) Rules, 2011 provide safeguards for sensitive personal data or information collected. This act also provides for compensation to be paid to the affected users by the body corporate for failure to protect sensitive personal information causing wrongful gain or wrongful loss to any person.

Also, the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 notified under the Information Technology Act, 2000 requires that the intermediary shall publish the rules and regulations, privacy policy, and user agreement for access or usage of its computer resource by any person.

In order to safeguard against the exploitative practices of ed-tech companies, the Government has issued advisory which includes do's and don'ts for the stakeholders. It has also reiterated legal provisions for e-commerce firms (which were notified by the MINISTRY OF CONSUMER

AFFAIRS, FOOD AND PUBLIC DISTRIBUTION (Department of Consumer Affairs)) for information to citizens who are consumers of ed-tech services. The details may be seen at: <https://pib.gov.in/PressReleasePage.aspx?PRID=1784582>

Further, considering grievances against Ed-tech platforms, UGC and AICTE have issued public notices on 16th January, 2022 advising the students to check recognition/entitlement status of programme on official website before enrolling any course. The notice may be seen at [https://deb.ugc.ac.in/pdf/UGC Public Notice 16-01-2022.pdf](https://deb.ugc.ac.in/pdf/UGC_Public_Notice_16-01-2022.pdf).
