

GOVERNMENT OF INDIA  
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY  
**LOK SABHA**  
**UNSTARRED QUESTION NO. 2107**  
TO BE ANSWERED ON: 12.03.2025

**DATA PROCESSING BY STATE AGENCIES UNDER DPDP RULES, 2025**

**2107. SHRI ANURAG SINGH THAKUR:**

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

- (a) whether State agencies are permitted to process personal data without fresh consent, provided individuals are informed under Rules 5 of the Draft Digital Personal Data Protection (DPDP) Rules 2025;
- (b) the details of the specific circumstances and types of personal data to which this provision applies to;
- (c) the measures being implemented to ensure transparency in such data processing;
- (d) the manner in which the individuals are likely to be adequately informed about the usage of their personal data;
- (e) the manner in which the Government is likely to balance efficient governance with the fundamental right to privacy as upheld by the Hon'ble Supreme Court of India while considering privacy concerns;
- (f) whether there are plans to establish oversight or grievance redressal mechanisms to address concerns related to this provision; and
- (g) the manner in which the Government intends to align this rule with global best practices particularly in jurisdictions where explicit consent is fundamental?

**ANSWER**

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

(a) to (g): The Digital Personal Data Protection Act, 2023 ("Act") encapsulates the essential principles such as lawful purpose, purpose limitation, data minimisation, data accuracy, storage limitation, reasonable security safeguards and accountability. The Act obligates organizations, including State agencies, involved in digital personal data processing, to implement robust technical and organisational measures, including obtaining consent from the individual with the option to access the notice in English or any language specified in the Eighth Schedule to the Constitution and the purpose for which it is proposed to be processed along with the link or the manner to access her rights for specified purposes before processing of her digital personal data. The individual shall have the right to withdraw her consent at any time, with the ease of doing so being comparable to the ease with which such consent was given. Further, the Act allows that the State and any of its instrumentalities may process digital personal data of an individual to provide her the subsidy, benefit, service, certificate, licence or permit where she has previously consented to the processing of her digital personal data for such purposes subject to standards given in the Rule 5 of the Draft Digital Personal Data Protection Rules, 2025. Moreover, the Act empowers individuals with the rights to access, correct, and erase her digital personal data, enhancing transparency about processing and usage of her personal data. The individuals have a right to grievance redressal which ensures to address any concerns about her personal data processing. The grievance redressal mechanism and adjudication process of the Data Protection Board with the penalty enforcement mechanism further strengthens the oversight and accountability frameworks. The Act appropriately balances the rights of individuals and the obligations of the Data Fiduciaries.

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