

**GOVERNMENT OF INDIA
MINISTRY OF HEALTH AND FAMILY WELFARE
DEPARTMENT OF HEALTH AND FAMILY WELFARE**

**LOK SABHA
UNSTARRED QUESTION NO. 862
TO BE ANSWERED ON 07TH FEBRUARY, 2025**

EVOLUTION OF NEUROTECHNOLOGIES

862. DR. D RAVI KUMAR:

Will the Minister of **HEALTH AND FAMILY WELFARE** be pleased to state:

- (a) the steps taken/proposed to be taken by the Government to recognize and protect neurorights similar to Chile's constitutional amendment that ensures technological developments, respect people's physical and mental integrity;
- (b) whether the Government proposes to address the rapid evolution of neurotechnologies and the diverse contexts in which these technologies are used to develop suitable neuroethical standards in the country and if so, the details thereof;
- (c) the role of the Government in its international efforts to ensure ethical standards for neurotechnologies in light of UNESCO's initiative to develop the first global framework on the ethics of neurotechnology;
- (d) whether the Government proposes to consider Colorado's recent law to protect individuals' neurological privacy and California's deliberations on a similar instrument and if so, the details thereof alongwith the steps taken/proposed to be taken by the Government to safeguard neurological privacy of its citizens; and
- (e) the actions taken/being taken by the Government to collaborate with inter-governmental organizations working on the human rights dimension of neurotechnologies to ensure the protection of citizens' rights?

ANSWER

**THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND
FAMILY WELFARE
(SH. PRATAPRAO JADHAV)**

- (a) to (e) In India, there are currently no specific laws that explicitly address the protection of neuro rights in the context of advancing neurotechnology. However, certain general legal and regulatory frameworks for protecting personal data and privacy are:
 - i. Information Technology (IT) Act, 2000 provides for data protection and cybersecurity under the IT Act. Section 43A mandates that entities handling sensitive personal data, ensure its protection.

- ii. Digital Personal Data Protection Act, 2023 provides a framework for the collection, processing, and sharing of personal data
- iii. Mental Healthcare Act, 2017 provides for protection of the rights of individuals with mental health conditions and emphasizes consent, autonomy, and non-discrimination

Further, ICMR Guidelines for Biomedical Research (2017) emphasize ethical considerations in medical and scientific research, including neurotechnology. ICMR has also developed Ethical guidelines for application of Artificial Intelligence in Biomedical Research and Healthcare. Researchers must ensure informed consent and protect participant confidentiality.
