

# Data Privacy Regulation Act, 2025 - Final Legislative Report

## Overview

This report consolidates the draft legislation, critiques, voting outcomes, and proposed amendments for the "Data Privacy Regulation Act, 2025." The Act aims to regulate the protection and processing of personal data of individuals while establishing a Data Protection Authority for enforcement and grievance redressal. This document captures the legislative journey, stakeholder feedback, judicial evaluations, and the final decision on the bill.

## Section 1: Draft Legislation

### Data Privacy Regulation Act, 2025

#### Preamble:

An Act to provide for the regulation, protection, and processing of personal data of individuals, and to establish a Data Protection Authority for effective enforcement and grievance redressal.

#### Section 1 – Definitions

- **Data Subject:** Any individual whose personal data is being processed.
- **Data Controller:** Any individual or organization that determines the purposes and means of processing personal data.
- **Processing:** Includes any operation performed on personal data, such as collection, recording, storage, adaptation, or alteration.

#### Section 2 – Rights of Data Subjects

Every data subject shall have the right to:

1. Access their personal data being processed.
2. Request correction of inaccurate or incomplete data.
3. Withdraw consent at any time.
4. Be informed of data breaches affecting their personal information.

#### Section 3 – Obligations of Data Controllers

1. Ensure that personal data is processed lawfully, fairly, and transparently.
2. Collect data only for specified, explicit, and legitimate purposes.
3. Maintain data accuracy and ensure it is up to date.
4. Implement technical and organizational measures to ensure data security.

#### Section 4 – Data Protection Authority

A Data Protection Authority (DPA) shall be established to oversee enforcement, conduct investigations, and issue guidelines. The DPA shall have powers to impose penalties, summon witnesses, and mandate data audits.

#### Section 5 – Penalties and Enforcement

Any violation of this Act shall attract monetary penalties up to ₹10 crores or 2% of annual turnover, whichever is higher. In cases of willful misconduct, criminal liability shall be pursued.

#### Section 6 – Amendments

The Parliament may amend any section of this Act by a simple majority vote with appropriate justification and review.

#### Certification

This bill is proposed for review and debate by the legislative assembly. The provisions are subject to judicial evaluation, political deliberation, and necessary amendment before passage.

## Section 2: Critique and Response

### Initial Critique Response

The opposition raised concerns regarding ambiguities in terminology, risks to civil liberties and businesses, implementation challenges, potential for misuse, and conflicts with existing laws. Key issues included the broad definition of "Processing," the

unrestricted right to withdraw consent, and the risk of political interference in the Data Protection Authority (DPA).

**Proposed Revisions:**

- Narrow the definition of "Processing" with specific examples.
- Introduce reasonable notice periods for consent withdrawal in critical sectors.
- Establish a bipartisan selection committee for DPA appointments and judicial oversight for decisions.
- Implement tiered penalties to support small and medium enterprises (SMEs).
- Mandate sector-specific guidelines and timelines for DPA setup.
- Raise the amendment threshold to a two-thirds majority with public consultation.
- Add a harmonization clause to align with existing laws and constitutional rights.

---

## Section 3: Voting Outcome and Final Verdict

### Vote Summary (Aggregated by VotingAggregatorAgent)

- **Approve:** 3 votes
- **Reject:** 0 votes
- **Amend with Conditions:** 2 votes

**Final Verdict:**

The "Data Privacy Regulation Act, 2025" is **Approved** by a majority of 3 out of 5 votes. Concerns raised by the minority regarding ambiguities, potential overreach, and implementation challenges are noted for future amendments.

---

## Section 4: Proposed Amendments

### Amendment Overview (Provided by AmendmentAdvisorAgent)

The following amendments address concerns raised by JudgeAgents voting "Amend with Conditions." They aim to clarify definitions, introduce safeguards, ensure balanced enforcement, and provide practical implementation frameworks.

**Amendment List:**

1. **Section 1 – Definitions (Processing):** Revise to specify operations posing privacy risks, with a schedule of examples.
  2. **Section 2 – Rights of Data Subjects (Withdraw Consent):** Add reasonable notice periods for critical sectors.
  3. **Section 3 – Obligations of Data Controllers (Security Measures):** Mandate DPA to issue sector-specific guidelines within six months.
  4. **Section 4 – Data Protection Authority (Composition):** Establish a bipartisan selection committee, fixed tenures, judicial oversight, and an appeals mechanism.
  5. **Section 4 – Data Protection Authority (Timeline):** Require DPA to be operational within 12 months with adequate funding.
  6. **Section 5 – Penalties and Enforcement:** Introduce tiered penalties based on organization scale and violation severity, with SME support programs.
  7. **Section 6 – Amendments:** Raise threshold to two-thirds majority and mandate public consultation.
  8. **New Section – Harmonization Clause:** Affirm alignment with existing laws and constitutional privacy rights.
- 

## Section 5: Conclusion

The "Data Privacy Regulation Act, 2025" has been approved by a majority vote, marking a significant step toward protecting personal data and upholding privacy as a fundamental right. While the bill passes, the proposed amendments address critical concerns to strengthen its provisions. These recommendations will guide future refinements to ensure the Act remains robust, fair, and effective in balancing individual rights, business needs, and societal interests.