

India's data protection law needs refinement

Changes can help make the Digital Personal Data Protection (DPDP) Bill, 2022 'future-proof' and ensure a better complaints mechanism

India is no Europe, and this seems especially true in the face of a task such as drafting and conceptualising a data protection law for over 1.4 billion Indians. The European Union's (EU) data protection law, i.e., the [General Data Protection Regulation \(GDPR\)](#), came into force in the middle of 2018 and achieved widespread popularity as arguably the most comprehensive data privacy law in the world. However, the GDPR has been saddled with challenges of implementation and risks being relegated to the status of a paper tiger. Although the EU's challenges may be due to its unique legal structure, India must guard against the risks of enacting a law that is toothless in effect.

This deliberation becomes increasingly relevant as the Indian government is likely to table India's fresh data protection law in the ongoing monsoon session of Parliament (July 20-August 11). Late last year, the government released the [Digital Personal Data Protection \(DPDP\) Bill, 2022](#) for public consultation. This is its third recent attempt at drafting a data protection law. While the draft released for public comments was not as comprehensive as its previous versions, news reports suggest that the government may present a Bill that is largely similar. Considering this, critical gaps remain in the DPDP Bill that would affect its implementation and overall success.