

Tech Talk | Digital India Act, Law on Data Protection & Telecom Bill – Which One Will be Tabled in Parliament?

When the monsoon session of parliament was about to begin, there were talks about which bills will be presented in parliament by the ministries of communications and information technology. Since the session has started already, it is time to see the status report of those most talked-about legislations.

First is the Digital India Act (DIA), which is considered to be the successor of the 22-year-old IT Act. Considering the continuously evolving tech space, the central government has come up with the DIA that has gone through pre-consultation and the draft of the Act is just getting ready for further consultation.

From the Centre's perspective, the point behind making this Act is to make future-ready legislation, of course to a possible extent. The government has chosen extensive consultation to move forward, along with making sure that the core of such legislation should be based on principles, as the landscape and the challenges of advanced technologies like artificial intelligence are rapidly changing. So, the government is trying to make an Act that can be evolved with time and need of the hour.

Another important bill, which was expected to come during the ongoing parliamentary session, is the Telecommunication Bill but is unlikely to be tabled in the monsoon session. Communications minister Ashwini Vaishnaw said in May that the bill, a draft version of which was given for public comment late last year, should ideally be finalised by July as the government had already held consultations with a wide range of stakeholders.

This bill will replace the existing legal framework governing telecommunications in India, comprising the Indian Telegraph Act of 1885, the Wireless Telegraphy Act of 1933 and the Telegraph Wires (Unlawful Possession) Act of 1950. The focus is to update existing telecom laws and make legislations for the era of 4G, 5G, internet of things (IoT), Industry 4.0, M2M communications, mobile edge computing among others.

According to officials, however, there is still a need for more evaluation and the government doesn't want to rush it. Additionally, since the telecom bill is yet to receive cabinet approval, it may not be submitted in this parliament session.

But, in the monsoon session, the IT ministry is hoping to have the Digital Personal Data Protection Bill introduced and passed, which has already received approval from the cabinet in July. This bill is important since it deals with personal data-related matters. The government is hopeful that once this bill is passed in parliament, it will create a deep behavioural change in all those digital platforms that deal with personal data of Indian citizens.

This bill is prepared to protect citizens' data, while not making it harder for companies to function in India. Despite some concerns raised after the draft was released, most stakeholders have welcomed the bill and said it is a well-constructed legislation that addresses all the objectives as well as praised it for its strong protections for individual privacy rights.