

## **Personal Data Protection Bill Gets Green Signal From Cabinet: All You Need To Know About The Proposed Act**

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**New Delhi:** The Digital Personal Data Protection Bill is likely to get an approval from the Union Cabinet today. This comes a day after the Attorney General (AG) R Venkataramani informed the Supreme Court that the Digital Personal Data Protection Bill is ready and will be introduced in Parliament in the upcoming Monsoon Session.

### **TRENDING NOW**

The Bill would also address concerns raised by petitioners about personal data protection in connection with WhatsApp privacy policy. On February 1, the Supreme Court had directed WhatsApp to give wide publicity in the media that users aren't bound to accept its 2021 privacy policy and also WhatsApp's functionality would not be affected till the new Data Protection Bill comes into effect.

### **What Is Personal Data Protection Bill**

The Personal Data Protection Bill, 2022 is part of the government's part for broader framework of technology regulations. The Digital Personal Data Protection Bill is legislation that frames out the rights and duties of the citizen (Digital Nagrik) on one hand and the Obligations to use collected data lawfully of the Data Fiduciary on the other hand. The bill is based on the following principles around the Data Economy.

The first principle is that the collection and usage of personal data by organisations must be done in a manner that is lawful, protect the data of the individuals concerned and is transparent to individuals.

The second principle of Purpose and Storage limitation is that the personal data is used only for the purposes for which it was collected and only stored for the duration as is necessary for the purpose that it was collected.

The third principle of data minimisation is that only collection of data will be limited to only those personnel that is required for the purpose specified.

The fourth principle is Data protection and Accountability is that the responsibility of processing the data is with the person who collects the Data and the Data collected will be stored in a secure manner with no unauthorised use of the data or personal data breach.

The fifth principle is Personal data collected will be stored in an accurate manner. Reasonable effort is being made to ensure that the personal data of the individual is accurate and kept up to date. That the individual will have the right to inspect his/her data and/or delete/modify it as required.

The sixth principle is mandatory reporting of breaches and fair, transparent and equitable adjudication of breaches of Fiduciary obligations by a Data Protection Board.

These principles have been used as the basis for personal data protection laws in various jurisdictions. The actual implementation of such laws has allowed the emergence of a more nuanced understanding of personal data protection wherein individual rights, public interest and Ease of doing business, especially for startups are balanced.

The provisions of this Act shall apply to the processing of digital personal data within the territory of India where:

- Personal data is collected from Data Principals online
- Personal data collected offline is digitised

The provisions of this Act shall also apply to processing of digital personal data outside the territory of India, if such processing is in connection with any profiling of, or activity of offering goods or services to Data Principals within the territory of India.