

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
RAJYA SABHA
UNSTARRED QUESTION NO. 2631
TO BE ANSWERED ON: 18.03.2021

PROTECTION OF DATA PRIVACY AND COMPLAINTS

2631 SHRI SYED ZAFAR ISLAM:

Will the Minister of Electronics & Information Technology be pleased to state :

- (a) whether selling of private information of users by social networking sites has come to the notice of Government ;
- (b) if so, the details of total number of complaints State-wise, including Uttar Pradesh;
- (c) whether Government has made any rule to prevent the misuse of sharing of private information of users without their consent;
- (d) if so, the details thereof; and
- (e) whether Government has taken any action to deal with the said issue and if so, the details thereof?

ANSWER

MINISTER OF STATE FOR ELECTRONICS AND INFORMATION TECHNOLOGY
(SHRI SANJAY DHOTRE)

(a) to (e): The Information Technology (Reasonable security practices and procedures and sensitive personal data or information) Rules, 2011 notified under Section 43A of the Information Technology (IT) Act, 2000 defines sensitive personal information and also mandate that body corporate must provide policy for privacy and disclosure of information, so that user is well aware of the type of personal data collected, purpose of collection and usage of such information. The rules also specify mode of collection of information, disclosure of information, transfer of information, etc.

Also, section 72A of the IT Act provides for punishment for disclosure of information in breach of the lawful contract.

Further, the cases related to failure to protect sensitive personal information are dealt by Adjudicating Officers appointed under section 46 the IT Act. Secretaries of Department of Information Technology of each State and Union Territory have been appointed as Adjudicating Officer under section 46 of Information Technology (IT) Act 2000. The cases of Cyber contravention heard by Adjudicating Officer are State subject and such data is not maintained by Ministry of Electronics & Information Technology (MeitY).

MeitY has introduced the Personal Data protection Bill, 2019 in parliament during the winter session of 2019. The Bill has been referred to a joint committee of the parliament.
