

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
RAJYA SABHA
UNSTARRED QUESTION NO. 552
TO BE ANSWERED ON: 17.09.2020

STATUS OF DATA PROTECTION LEGISLATION

552 SHRI K.J. ALPHONS:

Will the Minister of ELECTRONICS AND INFORMATION TECHNOLOGY be pleased to state:

- (a) the status of the proposed data protection legislation;
- (b) whether all stakeholders have been consulted; and
- (c) pending legislation, what steps are being taken by the Government to ensure protection of data?

ANSWER

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

- (a) The Personal Data Protection Bill 2019 has been introduced in the Parliament during the winter session 2019 and the Bill has been referred to a Joint Committee of the Parliament and the Committee is deliberating on the subject.
- (b) Yes, Sir, wide consultations were held on the draft Bill and open feedback was solicited on the contents of the Bill.
- (c) There are existing legal provisions to deal with the protection of data. Section 43A and section 72A of the Information Technology (IT) Act, 2000 provide for privacy and security of data in digital form. Section 43A provides for compensation to be paid to the victim in case of wrongful loss or wrongful gain caused due to negligence in implementing and maintaining reasonable security practices and procedure by a body corporate in dealing with sensitive personal data. It mandates 'body corporates' to implement 'reasonable security practices' for protecting the 'sensitive personal information' of individuals. Also, section 72A of the Act provides for punishment for disclosure of information in breach of lawful contract.
