

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
LOK SABHA
UNSTARRED QUESTION NO. 1514
TO BE ANSWERED ON: 10-02-2021

IMPACT OF CHANGE IN PRIVACY POLICY

1514. SHRI RAVNEET SINGH BITTU

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

- (a) whether the Government is aware that a popular messaging service provider has recently announced changes in its privacy policy which is likely to adversely impact the privacy and data security of millions of its users in the country;
- (b) if so, the details thereof and the steps being taken by the Government in this regard;
- (c) whether the Government has any regulatory mechanism and have taken any measures to monitor and take pro-active measures to protect the privacy and secure data related to millions of users on various social messaging and social media platforms in the country;
- (d) if so, the details thereof; and
- (e) if not, the reasons therefor?

ANSWER

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

(a) and (b) : Ministry of Electronics & Information Technology (MeitY) took cognizance of the WhatsApp announcement of its new Privacy Policy initially stated to be applicable to Indian users from February 2021. To safeguard the interest of Indian users, Ministry of Electronics and Information Technology (MeitY) has asked WhatsApp to review the proposed privacy policy changes and also to explain the rationale of the same. WhatsApp has communicated that the messages sent by users in their private chats or in private groups continue to be end-to-end encrypted and other persons or WhatsApp cannot access these chats.

(c) and (d) : Section 43A of the Information Technology (IT) Act, 2000 provides for safeguards for sensitive personal information collected by a body corporate including social messaging and social media platforms.

The social media platforms including WhatsApp, for the user generated content made available on their platforms, are intermediaries as defined in the Information Technology Act, 2000. Accordingly, these platforms have to observe due diligence prescribed by the Information Technology (Intermediary Guidelines) Rules, 2011 notified under section 79 of IT Act, 2000.

Government has already moved the Personal Data Protection Bill, 2019 in Parliament which is presently under the consideration of the Joint Committee of Parliament. The Bill provides for safeguards of privacy and interests of the Indian citizens.

(e) : Does not arise.
