

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
LOK SABHA
UNSTARRED QUESTION No. 5495
TO BE ANSWERED ON 5.4.2023

ELECTRONIC GADGETS

5495. SHRI SUDHAKAR TUKARAM SHRANGARE:

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

- (a) whether the Government has framed any guidelines to protect the right to privacy of those whose electronic gadgets are seized by the enforcement agencies;
- (b) if so, the details thereof and if not, the reasons therefor; and
- (c) the steps taken by the Government to bar the law enforcement agencies from sharing and revealing information from such seized electronic gadgets?

ANSWER

MINISTER OF STATE FOR ELECTRONICS AND INFORMATION TECHNOLOGY
(SHRI RAJEEV CHANDRASEKHAR)

(a) to (c): The Information Technology Act, 2000 provides for civil and criminal liabilities for the act of downloading, copying or extracting, without the permission of the owner or person incharge, any information from a computer. As per the definitions given in the Act, computer includes any electronic data processing device which performs logical, arithmetic and memory functions by manipulations of electronic impulses.

Clause (b) of section 43 of the Act provides that a person who does the aforesaid act shall be liable to pay damages by way of compensation to the affected person. Further, section 66 of the Act provides that any person who dishonestly or fraudulently does such an act shall be punishable with imprisonment for a term which may extend to three years or with fine which may extend to five lakh rupees or with both.
