

GOVERNMENT OF INDIA  
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY  
**RAJYA SABHA**  
**UNSTARRED QUESTION NO. 3426**  
TO BE ANSWERED ON 25.03.2021

**INCREASING INSTANCES OF DATA BREACHES**

**3426      DR. NARENDRA JADHAV:**  
**DR. AMAR PATNAIK:**

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

- (a) whether the Ministry has received complaints pertaining to increased incidences of data breaches;
- (b) the number of cases reported so far from January 2020 till date;
- (c) the action taken towards this; and
- (d) whether the Minister would consider establishing a transitory body till the Personal Data Protection Bill is finalised to deal with issues pertaining to data breaches?

**ANSWER**

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

(a) to (d): 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.

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