

GOVERNMENT OF INDIA  
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY  
**LOK SABHA**  
**UNSTARRED QUESTION NO. 2431**  
TO BE ANSWERED ON: 21.12.2022

**GLOBAL CLOUD PLATFORM**

**2431. SHRIMATI MAHUA MOITRA:**

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

- (a) whether it is a fact that there is a widespread use of global cloud platforms like AWS, Azure and Google Cloud and if so, the details thereof;
- (b) whether the Government is aware that these cloud providers are liable to hand over information to the US Governmental authorities under the Clarifying Lawful Overseas Use of Data Act (or CLOUD Act) and if so, the details thereof ;
- (c) whether the Government is creating a plan and laying down guidelines as to the data that Governmental agencies can store on these international cloud providers and if so, the details thereof; and
- (d) whether this remain compliant with the Fundamental Right to Privacy of Indian citizens as held by Supreme Court in the Puttaswamy judgement and if so, the details thereof?

**ANSWER**

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

(a) to (d): The policies of the Government are aimed at ensuring an Open, Safe and Trusted and Accountable Internet for its users. With the expansion of the Internet, more and more Indian coming online and increase in the volume of data generated, stored and processed, the need to secure such data has been increasingly in focus.

Government, in exercise of its powers under the Information Technology Act, 2000 (“IT Act”) has made the Information Technology (Reasonable security practices and procedures and sensitive personal data or information) Rules, 2011, which provide safeguards for sensitive personal data or information collected by a body corporate or any person who receives, possesses, stores, deals or handles information on behalf of such body corporate. The rules specifically provide that the disclosure of sensitive personal data or information by the body corporate to any third party requires prior permission from the provider of the information, unless such disclosure has been agreed to in the contract between the body corporate and the provider of information or where the disclosure is necessary for compliance of legal obligations.

Further, the Ministry of Electronics and Information Technology has prepared a draft Bill, titled the Digital Personal Data Protection Bill, 2022 and has invited feedback from the public as part of its public consultation exercise.

With regard to storage of data by government agencies, it is informed that the Ministry of Electronics and Information Technology has empanelled cloud service offerings of both domestic and global cloud service providers, after audit by the Standardisation Testing and Quality Certification Directorate with reference to the international security standards (ISO 27001, ISO 27017, ISO 27018 and ISO 20000. Further, the terms and conditions of empanelment require submission of a legal undertaking guaranteeing that the data shall reside in India and that there shall not be any legal framework outside Indian law that will be applicable to the operation of the cloud services.

\*\*\*\*\*

