

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
RAJYA SABHA
UNSTARRED QUESTION NO. 2789
TO BE ANSWERED ON: 09.12.2016

LAW ON DATA SECURITY BREACH

2789 SHRI TIRUCHI SIVA:

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

- (a) whether Government intends to introduce a legislation on data security breach in the light of recent security breach of around 6 lakh ATM cards, if so, the details thereof, if not, the reasons therefor; and
- (b) whether there is any mechanism in place that mandates public disclosure when such security breach occurs, if so, the details thereof, if not, the reasons therefor?

ANSWER

MINISTER OF STATE FOR ELECTRONICS AND INFORMATION TECHNOLOGY
(SHRI P.P. CHAUDHARY)

(a): The Information Technology (IT) Act, 2000 provides adequate legal framework for data security breach. Section 43, section 43A, section 72 and section 72A of the IT Act, 2000 provides for privacy and security of data in digital form. Further, payments systems including ATM's are governed by Reserve Bank of India Act, 1934 and the Payment and Settlement Systems Act, 2007 and regulations framed thereunder. Currently there is no proposal with the Government to introduce a new legislation for data protection in India.

(b): Banks are required to report cyber incidents to Reserve Bank of India. Further, banks also disclose major incidents to stock exchanges.
