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30/07/2018

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Through the draft data privacy bill addresses various issues plaguing the data ecosystem in India and clearly articulates the ~~rest~~ rights of Individuals, it falls short on key principles that are at the core of robust data protection framework discuss

KEY PROVISION OF THE BILL

- 1) The bill recognises the Right to Privacy of the Individuals.
- 2) It mandates the use of data for lawful purpose only with the Consent of Individual.
- 3) It also states the key rights of the Individual
 - a) Right to Confirmation and Access
 - b) Right to Correction.
 - c) Right to data portability.

SHORTFALLS OF THE BILL

- 1) The bill provides three key rights of the Individual but it fails ensure "right to forgotten", "Right to deletion" or "Right to object processing"
- 2) Personal data can be collected and processed by the state for employment related aspects, and for emergencies.

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3) The proposed "Data protection Authority" has the powers to disclose the data breachers. This is in contrast with a mandate to disclose all data breachers to the concerned public.

4) The bill does not include any provision to curb the government surveillance.

5) Further the bill does not consider data as a property.

Even though, the bill has certain shortfalls. The draft makes the beginning in terms of affording data protection to its citizens.

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