

**GOVERNMENT OF INDIA
MINISTRY OF COMMERCE & INDUSTRY
DEPARTMENT FOR PROMOTION OF INDUSTRY AND INTERNAL TRADE**

LOK SABHA

**UNSTARRED QUESTION NO. 4050.
TO BE ANSWERED ON WEDNESDAY, THE 18TH MARCH, 2020.**

RESTRICTION ON CROSS-BORDER DATA FLOW

**4050. SHRI SANJAY SADASHIV RAO MANDLIK:
SHRI SHRIRANG APPA BARNE:
SHRI BIDYUT BARAN MAHATO:
SHRI SUDHEER GUPTA:
SHRI GAJANAN KIRTIKAR:**

Will the Minister of **COMMERCE AND INDUSTRY** be pleased to state:

वाणिज्य एवं उद्योग मंत्री

- (a) whether the Government is working on the e-commerce and new industrial policies for setting up a legal and technological framework for restrictions on cross-border data flow and laid certain conditions on processing the sensitive data locally and storing it abroad;
- (b) if so, the details thereof and the aims and objectives of the said policies;
- (c) the time by which the said policies are likely to be implemented by the Government;
- (d) whether the Government has held any meeting with various stakeholders in this regard and if so, the details thereof; and
- (e) whether several foreign e-commerce firms have raised concern over a few points in the draft policy pertaining to data and if so, the details thereof and the response of the Government in this regard?

ANSWER

वाणिज्य एवं उद्योग मंत्री (श्री पीयूष गोयल)

**THE MINISTER OF COMMERCE & INDUSTRY
(SHRI PIYUSH GOYAL)**

- (a) & (b):** The formulation of the National e-Commerce policy and the new Industrial Policy is under consideration of the Government.

The draft National e-commerce policy seeks to create a facilitative regulatory environment for growth of e-commerce sector. It is aimed at empowering domestic entrepreneurs and to encourage Make in India while safeguarding interests of the consumers and facilitating job creation.

The proposed new Industrial policy seeks to boost competitiveness and growth of the manufacturing sector in India.

Ministry of Electronics and Information Technology has introduced the Personal Data Protection Bill, 2019, which *inter alia*, seeks to specify the flow and usage of personal data, defines sensitive data and aims to create a framework for organisational and technical measures in processing of data, laying down norms for cross-border transfer and accountability of entities processing personal data.

(c) to (e): On the 23rd February, 2019, the first draft of the National e-Commerce policy was placed in public domain for comments/ suggestions. Comments from over 120 stakeholders (companies both Indian and foreign, Industry associations, think tanks, foreign governments) were received.

A series of meetings have been held at the level of Secretary, DPIIT with different stakeholders, including major e-commerce companies, start-ups, industry associations, think-tanks, academicians etc. as well as data centre providers, logistics companies, export promotion councils to discuss the issues facing the sector and the provisions contained in the draft Policy.

Since e-Commerce is a new issue, it has necessitated detailed consultations over the last few months to ensure that the policy is crafted in a manner that interests of all stakeholders are taken in to account. Therefore, no timeline has been fixed for release of the same.

With regard to the new Industrial Policy, a Working Group has been constituted with representation from Central Ministries/Departments, State Governments, and industry associations. The Working Group is chaired by Secretary, DPIIT. The first meeting of the Working Group was held on 24th October, 2019 under the Chairmanship of Secretary, DPIIT. Inter-ministerial consultation is currently going on for framing the new Industrial Policy.
