

The Information Technology Act, 2000 and the rules prescribe therein requires the body corporate to publish the privacy policy. Google has published a Privacy Policy on their website.

Any change in the privacy policy is not within the purview of amended Information Technology Act, 2000.

(c) Section 43A of the Act and the Rules notified therein reflect global principles of privacy and are similar to EU Data Protection Directive and provide means for effective implementation by establishing procedural/enforcement mechanisms such as requirement of yearly audit of by the Government approved independent auditor.

Certain media reports have appeared on changes in Google's privacy policy. France's independent privacy watchdog, the CNIL (nationale de l'informatique et des libertes) stated that the changes made do not comply with European law. Another report states that European Union (EU) feels the new privacy policy makes it impossible to understand which purposes, personal data, recipients or access rights are relevant to the use of a specific service. It may be mentioned that Privacy is a fundamental right in Europe.

(d) Rectification of conflict between Google, an US Company and European Directive on Data Protection is not within the purview of Government of India.

(e) The new Google Privacy Policy provides information to the end users as to how their personal information is collected, for which it is collected, processed and secure. The end users, however, need to fully understand the privacy policy of Google, the consequences of sharing their personal information and their privacy rights before they start using online services.

#### **Misuse of 2G spectrum licencing conditions**

1930. SHRI JAI PRAKASH NARAYAN SINGH : Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

(a) whether it is a fact that due to misuse of 2G spectrum licencing conditions by various telecom operators, Government has incurred a loss of more than 35,000 crores;

(b) if so, the complete details of loss to the exchequer, operator-wise;

(c) whether Government would recover the loss from telecom operators; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI MILIND DEORA) : (a) to (d) Initial/start-up spectrum is allotted to the Unified Access Service Licensees as per the

provisions of their Service Licence Agreement subject to availability of spectrum. Additional spectrum beyond the above is also considered for allocation, taking into account traffic and subscribed linked criteria evolved from time to time. A annual spectrum usage charges on percentage of AGR (Adjusted Gross Revenue) are being levied.

The Telecom Commission has given its recommendations on charging for spectrum after considering the recommendations of TRAI on "Spectrum Management and Licensing Framework" of 10th May, 2010 and further recommendations of TRAI dated 08th February, 2011".

#### **Funds for Bihar**

1931. SHRI SABIR ALI : Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

- (a) the details of funds/amounts given/spent in Bihar by the Ministry and its various organizations during the last three years and the current year, so far;
- (b) the purpose for which these amounts were given/spent; and
- (c) the steps being taken to increase these funds?

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI MILIND DEORA) : (a) The Department of Telecommunications (DoT), through Universal Service Obligation Fund (USOF), has disbursed following amounts to Bihar under various schemes during last three years and current year:

Year	2008-09	2009-10	2010-11	2011-12
Amount (Rs. crores)	57.79	41.61	11.48	11.01

The details of funds/amounts, given/spent in Bihar by DoT's Public Sector Undertaking Bharat Sanchar Nigam Limited (BSNL) during the last three years and current years are as given below:

Year	2008-09	2009-10	2010-11	2011-12
Funds Allotted (Rs. crores)	1153.01	835.90	900.99	838.71
Expenditure Incurred (Rs. crores)	997.60	963.17	798.65	Not finalized.

(b) The subsidy, disbursed to Bihar by the Department of Telecommunications (DoT) through various schemes of Universal Service Obligation Fund (USOF) was utilized for the following purposes:

- (i) Public Access to Telephone Facilities: e.g. Village Public Telephones (VPTs) and Rural Community Phones (RCPs),