GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
RAJYA SABHA
UNSTARRED QUESTION NO. 3430
TO BE ANSWERED ON : 25.03.2021

DATA BREACHES AND CYBER INCIDENTS

3430. SHRI BINOY VISWAM: PROF. MANOJ KUMAR JHA:

Will the Minister of ELECTRONICS AND INFORMATION TECHNOLOGY be pleased to state:
(a) list of data breaches and cyber incidents under investigation by the Computer Emergency Response Team (CERT) since 2018, year-wise;
(b) number of cyber incidents pertaining to Government websites, databases,etc that CERT has investigated since 2018, the details thereof;
(c) whether any Government data or website has been extracted by non-Governmental parties in last five years, if so, the details thereof and if not, whether there have been anysuch attempts;
(d) whether CERT investigated the data breach at financial services firm Just Pay which provides services to Amazon; and
(e) action that has been taken by Ministry under IT act regarding data breaches?

ANSWER
MINISTER OF STATE FOR ELECTRONICS AND INFORMATION TECHNOLOGY
(SHRI SANJAY DHOTRE)

(a): As per the information reported to and tracked by Indian Computer Emergency Response Team (CERT-In) a total number of 208456, 394499 and 1158208 cyber security incidents wereobserved during the year 2018, 2019 and 2020 respectively. Out of this, a total number of 5, 11 and 36data breach incidents werereported during the year 2018, 2019 and 2020 respectively.

(b), (c) and (d): CERT-In is serving as the national agency for responding to cyber security incidents as per provisions of Section 70B of the Information Technology Act, 2000.CERT-Inreceives inputs from its situational awareness systems and threat intelligence sources on various cyber security incidents and vulnerabilities in networks of entities across sectors and issues alerts and advisories to concerned organisations for remedial measures.

As per the information reported to and tracked by CERT-In, a total number of 199, 172, 110, 54 and 59 websites of Central Ministries/Departments and State Governments were breached during the year 2016, 2017, 2018, 2019 and 2020 respectively.

(e): The Information technology Act (IT Act), 2000 has provision to deal with data breaches. Section 43A of the Act provides for compensation to be paid to the victim in case of unauthorized access of information and leakage of sensitive personal information respectively. It mandates body corporates to implement reasonable security practices for protecting sensitive personal information of individuals. The Information Technology (Reasonable security practices and procedures and sensitive personal data or information) Rules, 2011 notified under this section defines sensitive personal information and also mandate that body corporate must provide policy for privacy and disclosure of information, so that user is well aware of the type of personal data collected, purpose of collection and usage of such information.

The cases related to failure to protect sensitive personal information are dealt by Adjudicating Officers appointed under section 46 the IT Act. Secretaries of Department of Information Technology of each State and Union Territory have been appointed as Adjudicating Officer under section 46 of IT Act.

Also, section 72A of the IT Act provides for punishment for disclosure of information in breach of the lawful contract.