Villgro Unconvention 2019

Session Title: “Are Indian Social Enterprises ready for the new Data Protection Law?”

Session Description:

In 2017, the Supreme Court in a landmark judgment, ruled that the right to privacy is a “fundamental right”, thereby guaranteeing this right to all citizens of India. Following this judgment, the Government of India has mooted the Personal Data Protection Bill, to implement stricter privacy protections and guidelines to be followed by data collectors and other stakeholders dealing with personal information. While the Bill is yet to be adopted by the Parliament, entities across different sectors in India will need to remain in a state of preparedness for a new data protection regime that will eventually materialize, sooner rather than later.

In recent times, the social impact sector in India has made rapid strides as it seeks to provide a gamut of innovative products and services to previously uncovered segments of India’s populace, including those at the bottom of the pyramid. As impact enterprises across the spectrum (be healthcare, education, skill development, agritech or financial services organizations) increasingly access huge databases, with such access being made easier by an increasing number of public-private partnerships, there is no doubt that personal data of individuals will be collected, stored and processed by such entities within a matter of seconds. There are hardly any sectors untouched by data, and it is now recognized that “data is the new oil”.

It goes without saying that such increased access must be accompanied by a corresponding increase in the responsibility of data processors. However, as lawyers, we have observed that most organizations are yet to understand the real, legal, commercial and reputational implications of data breaches on their business and operations. It is imperative that social enterprises understand what the future holds in terms of their compliance with the proposed data protection law.

This session will be designed in the form of two or three case studies set in key sectors such as education, healthcare and fintech. We anticipate this session to be highly interactive as will gauge the levels of understanding on privacy and data protection issues.
Key Takeaways

Through this session we hope to educate participants and help them to:

(i) understand and identify what is the data that needs protection;

(ii) what the proposed data protection bill entails for entities which are collecting, storing and processing data; and

(iii) what are some of the principles/best practices that social enterprises must implement while designing data collection, storage and processing policies, in order to avoid any pitfalls (from a regulatory standpoint) in the future?