

Need to ensure protection of sensitive data of beneficiaries availing treatment under Ayushman Bharat-Pradhan Mantri Jan Arogya

Yojana (ABPMJAY) -Laid

SHRI KIRTI AZAD (BARDHAMAN-DURGAPUR): I would like to bring into the notice of the Government the issue of patient privacy violations under the Ayushman Bharat Pradhan Mantri Jan Arogya Yojana (AB-PM JAY). The National Health Authority (NHA) has been publishing personally identifiable information of beneficiaries on its websites, including full names, discharge dates, and treatment costs, accessible through basic searches. This practice violates the constitutional right to privacy under Article 21, as upheld by the Supreme Court in Justice K.S. Puttaswamy v. Union of India. The publication of personal health data lacks legal backing under the Ayushman Bharat Digital Mission (ABDM) or Health Data Management Policy (HDMP), which explicitly prohibits such disclosure without anonymisation. The success of the scheme can be achieved through anonymised and aggregated data, making such public disclosures unnecessary. Additionally, no informed consent is sought from beneficiaries, further contravening HDMP guidelines. Publishing this data not only fails constitutional tests of legality, necessity, and proportionality but also increases risks of data misuse and breaches. I urge the Government to immediately address this grave violation of privacy, ensure compliance with established legal and constitutional safeguards, and take necessary corrective measures to protect the sensitive data of millions of Indian citizens availing treatment under AB-PM JAY.