

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
RAJYA SABHA
UNSTARRED QUESTION NO. 1216
TO BE ANSWERED ON 25.11.2016

LAWS TO REGULATE SOCIAL MEDIA

1216 SHRI SHADILAL BATRA:

Will the Minister of Electronics and Information Technology be pleased to state:

- (a) the details of the existing laws in place to regulate the social media in the country;
- (b) whether Government has any proposal to review these laws in order to regulate the social media effectively; and
- (c) if so, the details thereof and the reaction of Government thereto?

ANSWER

MINISTER OF STATE FOR ELECTRONICS AND INFORMATION TECHNOLOGY
(SHRI P.P. CHAUDHARY)

(a): Government does not regulate the content appearing on social networking sites.

However, the Information Technology (IT) Act, 2000 has provisions for removal of objectionable online content. The Information Technology (Intermediary Guidelines) Rules 2011 under section 79 of the IT Act requires that the Intermediaries shall observe due diligence while discharging their duties and shall inform the users of computer resources not to host, display, upload, modify, publish, transmit, update or share any information that is harmful, objectionable, affect minors and unlawful in any way.

Further, Government takes action under section 69A of IT Act for blocking of websites/webpages with objectionable contents, whenever requests are received from designated nodal officers or upon Court orders. Section 69A of the IT Act empowers Government to block any information generated, transmitted, received, stored or hosted in any computer resource in the interest of i) sovereignty and integrity of India, ii) defence of India, iii) security of the State, iv) friendly relations with foreign States v) public order or vi) for preventing incitement to the commission of any cognizable offence relating to above.

(b) and (c): No, Sir. The IT Act, 2000 as amended in 2008 provides legal framework to address various types of prevalent cyber crimes including misuse of the social media. Presently, there is no proposal with the Government to amend the Information Technology Act 2000.
