

GOVERNMENT OF INDIA  
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY  
**RAJYA SABHA**  
**UNSTARRED QUESTION NO.1633**  
TO BE ANSWERED ON: 05.03.2020

**REVIEW OF ACT AND RULES RELATING TO PORNOGRAPHY AND PIRACY**

**1633. SHRI C.M. RAMESH:**

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

- (a) whether the Ministry proposes to review the existing Act and the rules made thereunder relating to pornography and piracy, if so, the details thereof;
- (b) when was the above Act relating to pornography last reviewed, the details thereof; and
- (c) whether the Ministry proposes to constitute any high level Committee in this regard with a definite time line, the details thereof and if not, the reasons therefor?

**ANSWER**

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

(a) and (b): There are adequate legal provisions to deal with online pornography and piracy. Sections 66E, 67, 67A and 67B of the Information Technology Act, 2000 provides for the punishment and fine for violation of privacy; publishing or transmitting of obscene material; material containing sexually explicit act; and material depicting children in sexually explicit act in electronic form respectively. The Information Technology Act was amended in 2008.

Further, the Information Technology (Intermediaries Guidelines) Rules 2011 notified under section 79 of IT Act, *inter alia*, specifies that the intermediaries shall inform the users of their computer resource not to host, display, upload, modify, publish, transmit, update or share any information that is grossly harmful, defamatory, obscene, pornographic, paedophilic, harms minor in any way; infringes any patent, trademark, copyright or other proprietary rights violates any law for the time being in force; etc.

In addition, several other legislations such as the Protection of Children from Sexual Offences Act, 2012, Indecent Representation of Women Act, 1986, Indian Penal Code have provisions to deal with pornography. Copyright Act, 1957 provides for punishment for piracy and copyright violations.

(c): There is no such proposal with the Ministry at this stage.

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