

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
RAJYA SABHA
UNSTARRED QUESTION NO. 2636
TO BE ANSWERED ON: 18.03.2021

REGULATIONS TO MAKE SOCIAL MEDIA ACCOUNTABLE

2636. SHRI VISHAMBHAR PRASAD NISHAD:
CH. SUKHRAM SINGH YADAV:

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

- (a) whether the Ministry is trying to minimise the influence of social media through a regulator to make social media accountable;
- (b) the action taken against social media operating companies, so far;
- (c) whether Government has conducted any study of the effect on the freedom of expression enshrined in the constitution through its control on the social media; and
- (d) the number of citizen accounts that were suspended on social media during the last one year?

ANSWER

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

(a) and (b): The social media platforms are intermediaries as defined in the Information Technology (IT) Act, 2000. In order to provide enhanced user safety as also accountability of social media platforms, Government has released the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 under the Act. These Rules require that the intermediaries follow certain due diligence as prescribed. The intermediaries are required to publish privacy policy, rules and regulations and terms and conditions. They are also expected to remove any unlawful content as and when brought to their knowledge either through a court order or through a notice by appropriate government or its agency. There is no further proposal at present with this Ministry to appoint a separate regulator for social media platforms.

(c): Government is committed to freedom of speech and expression and privacy of its citizens as enshrined in the constitution of India. This Ministry has not conducted any study on the effect on the freedom of expression enshrined in the constitution through its control on the social media.

(d): 'Police' and 'Public Order' are State subjects as per the Constitution of India and States are primarily responsible for prevention, detection and investigation through their law enforcement machinery. The Law Enforcement Agencies take legal action against the cyber-crime offenders as per the provisions of applicable laws. MeitY does not maintain such data.

Also, section 69A of the IT Act, 2000 empowers Government to block any information generated, transmitted, received, stored or hosted in any computer resource in the interest of sovereignty and integrity of India, defence of India, security of the State, friendly relations with foreign states or public order or for preventing incitement to the commission of any

cognizable offence relating to above. When brought to the knowledge of Government, Government has taken action on such social media accounts and specific information falling within the scope of section 69A of the Act.
