

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
LOK SABHA
UNSTARRED QUESTION NO. 2078
TO BE ANSWERED ON 02.08.2023

BLOCKING OF SOCIAL MEDIA ACCOUNTS

2078. SHRI JAYADEV GALLA:

Will the Minister of ELECTRONICS AND INFORMATION TECHNOLOGY be pleased to state:

- (a) the details of the number of social media accounts blocked by the Government;
- (b) the details of the Data specifying the social media platforms from which the above accounts were blocked, their followers/subscribers and the post which was responsible for the ban;
- (c) whether the Government has provided a mechanism for the blocked media account users to approach the Government and get the ban revoked and if so, the details thereof; and
- (d) the data of the number of users that have approached the Government to get the ban revoked and the number of bans actually revoked, year-wise?

ANSWER

MINISTER OF STATE FOR ELECTRONICS AND INFORMATION TECHNOLOGY
(SHRI RAJEEV CHANDRASEKHAR)

(a) and (b): The policies of the Government are aimed at ensuring an Open, Safe & Trusted and Accountable Internet for its users across the country.

The Information Technology Act, 2000 ("IT Act") and the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 ("IT Rules, 2021"), together, have made a framework which cast obligations on the intermediaries, including social media intermediaries, to make reasonable efforts by themselves, and to cause their users not to host, display, upload, modify, publish, transmit, store, update or share, information which –

- (i) belongs to another person and to which the user does not have any right;
- (ii) is obscene, pornographic, paedophilic, invasive of another's privacy including bodily privacy, insulting or harassing on the basis of gender, racially or ethnically objectionable, relating or encouraging money laundering or gambling, or an online game that causes user harm, or promoting enmity between different groups on the grounds of religion or caste with the intent to incite violence;
- (iii) is harmful to child;
- (iv) infringes any patent, trademark, copyright or other proprietary rights;
- (v) deceives or misleads the addressee about the origin of the message or knowingly and intentionally communicates any misinformation or information which is patently false and untrue or misleading in nature or, in respect of any business of the Central Government, is identified as fake or false or misleading by such fact check unit of the Central Government;
- (vi) impersonates another person;

(vii) threatens the unity, integrity, defence, security or sovereignty of India, friendly relations with foreign States, or public order, or causes incitement to the commission

- of any cognisable offence, or prevents investigation of any offence, or is insulting other nation;
- (viii) contains software virus or any other computer code, file or program designed to interrupt, destroy or limit the functionality of any computer resource;
- (ix) is in the nature of an online game that is not verified as a permissible online game;
- (x) is in the nature of advertisement or surrogate advertisement or promotion of an online game that is not a permissible online game, or of any online gaming intermediary offering such an online game;
- (xi) violates any law for the time being in force.

In addition, the IT Rules, 2021 cast specific obligation on intermediaries which includes to have grievance redressal mechanism. Further, in case an intermediary is a significant social media intermediary (an intermediary having more than 50 lakh registered users in India), to additionally observe due diligence in terms of appointing, in India, a Grievance Officer, a Chief Compliance Officer and a nodal contact person for 24x7 coordination with law enforcement agencies.

Keeping in view complaints regarding action or inaction, on the part of the social media intermediaries and other intermediaries on user grievances regarding objectionable content or suspension of their accounts, the Central Government has also established three GACs (Grievance Appellate Committees), as provided for in the said IT Rules, 2021 to enable users to appeal against the decisions taken by Grievance Officer of intermediaries on user complaints.

In case of failure to follow diligence as provided in the IT Rules, 2021, by intermediaries, they shall lose their exemption from liability under section 79 of the IT Act and shall be liable for consequential action as provided in such law.

Insofar as blocking of social media accounts is concerned, Section 69A of the Information Technology Act, 2000 ("IT Act") and the rules made thereunder provide power to the Government to issue directions for blocking of access by the public any information generated, transmitted, received, stored or hosted in any computer resource if it is necessary or expedient to do so in the interest of sovereignty and integrity, defence of India, security of the State, friendly relations with foreign States or public order or for inciting cognizable offence relating to above. Following the procedures and safeguards prescribed under the Information Technology (Procedure and Safeguards for Blocking for Access of Information by Public) Rules, 2009, the Central Government has issued directions for blocking of 6096, 6775 and 3470 URLs in the year 2021, 2022 and 2023, respectively. No other specific details such as social media account, followers/subscribers etc. are maintained by the Ministry of Electronics and Information Technology. As per the said rules, strict confidentiality is required to be maintained regarding all the requests and complaints received and actions taken thereof with regard to blocking.

(c) and (d): Under section 69A of the IT Act and the Information Technology (Procedure and Safeguards for Blocking for Access of Information by Public) Rules, 2009, thereunder, Ministry of Electronics and Information Technology issues notice to the concerned person or intermediary posting/hosting the URL, wherever possible, to appear or send their response, at least 48 hours prior to the meeting of the Committee for examination of request for blocking. No other specific information is maintained by the Ministry of Electronics and Information Technology.
