

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
LOK SABHA
UNSTARRED QUESTION No. 5376
TO BE ANSWERED ON 5.4.2023

GRIEVANCE APPELLATE COMMITTEE

5376. SHRI RAM MOHAN NAIDU KINJARAPU:

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

- (a) the details of qualification, eligibility, role and process of appointment of independent members of the Grievance Appellate Committee;
- (b) whether the decision of the Grievance Appellate Committee is final or can be subject to judicial review; and
- (c) the authority responsible for appointing the members of the Grievance Appellate Committee?

ANSWER

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

(a): The policies of the Government are aimed at ensuring an Open, Safe and Trusted and Accountable Internet for its users. To help achieve this aim, the Central Government, in exercise of powers conferred by the Information Technology Act, 2000, has made the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 ("IT Rules, 2021"). Further, provision for the Grievance Appellate Committees was made through amendments notified to the IT Rules, 2021 on 28.10.2022.

To carry out the provisions regarding the establishment of Grievance Appellate Committees and appointment of members thereto, the Ministry of Electronics and Information Technology invited applications from eligible candidates for the position of whole-time members of the Grievance Appellate Committees. The advertisement issued for the purpose detailed the eligibility criteria (including qualifications), the role and the process of their appointment and may be viewed on the link www.meity.gov.in/appointment_of_whole-time_independent_members_of_Grievance_Appellate_Committee. After considering the applications received, the Central Government has established three Grievance Appellate Committees and appointed members thereto, *vide* Ministry of Electronics and Information Technology's notification S.O. 442(E), dated 27.1.2023.

(b): The IT Rules, 2021 do not provide for appeal against or revision of orders passed by the Grievance Appellate Committee. However, article 32 of the Constitution guarantees citizens the right to move the Supreme Court by appropriate proceedings for enforcement of fundamental rights and article 226 empowers High Courts to issue writs for enforcement of fundamental rights.

(c): The Central Government has established three Grievance Appellate Committees and appointed members thereto, *vide* Ministry of Electronics and Information Technology's notification S.O. 442(E), dated 27.1.2023.
