

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
LOK SABHA
UNSTARRED QUESTION NO. 1502
TO BE ANSWERED ON 28.07.2021

INTERMEDIARY GUIDELINES

1502: SHRI L.S. TEJASVI SURYA:

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

- (a) whether the tech platforms such as Twitter, Facebook, Google and Amazon continue to be considered as intermediaries under the Information Technology (IT) Act and if so, the details thereof and the reasons therefor;
- (b) the changes that were brought to the Intermediary Guidelines by the Government and the rationale for bringing the said changes;
- (c) whether all tech platforms have complied with the said new guidelines and if so, the details thereof;
- (d) whether the Government is aware of a newer audio-only social media platform called clubhouse and if so, the details thereof; and
- (e) whether the said platform will be regulated and considered an intermediary under the IT Act and if so, the details thereof?

ANSWER

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

(a): The tech platforms like Twitter, Facebook, Google, Amazon, etc., for the user generated content made available on their platforms, are intermediaries as defined in the Information Technology (IT) Act, 2000.

(b): In order to ensure accountability of social media platforms to users and enhanced user safety, Government has notified the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 under the IT Act that specifies the due diligence to be followed by all the intermediaries including the significant social media intermediaries.

The Rules aim to protect the rights of users and make the social media intermediary platforms accountable to its users. The social media platforms are mandated to develop a robust grievance redressal system. The intermediaries are required to publish privacy policy, rules and regulations and terms and conditions. Intermediaries are required to inform their users not to publish/share/host any unlawful content. 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. These Rules are available on the Ministry of Electronics & Information Technology (MeitY) website : https://www.meitY.gov.in/writereaddata/files/Intermediary_Guidelines_and_Digital_Media_Ethics_Code_Rules-2021.pdf

(c): Major Significant Social Media Intermediaries including Facebook, Google (Youtube), Twitter, LinkedIn, WhatsApp, Sharechat, Telegram, Koo, MyGov etc., have informed this Ministry about their commitment to

comply with the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021.

(d) and (e): 'Clubhouse' is a social audio mobile application which enables users to connect and communicate through speaking and listening mode. Entity running 'Clubhouse' is an intermediary as per the IT Act definition, as it provides services in India.
