

GOVERNMENT OF INDIA  
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY  
**RAJYA SABHA**  
**UNSTARRED QUESTION NO.3681**  
TO BE ANSWERED ON: 25.07.2019

**REGULATING MOBILE APPLICATIONS**

**3681. DR. T. SUBBARAMI REDDY:**

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

- (a) whether Government is aware that several mobile applications like Tik Tok are reportedly encroaching upon Indian culture and traditions;
- (b) if so, the details thereof and Government's reaction thereto;
- (c) whether the said applications are having adverse effects on children also and if so, the details thereof and Government's reaction thereto;
- (d) whether Government proposes to ban or regulate such applications; and
- (e) if so, the details thereof and the steps taken by Government in this regard?

**ANSWER**  
MINISTER FOR ELECTRONICS AND INFORMATION TECHNOLOGY  
(SHRI RAVI SHANKAR PRASAD)

(a) to (c): There had been media reports that some mobile applications like TikTok are reportedly deteriorating our culture and are having adverse effects on children. TikTok App is an intermediary as defined in the Information Technology (IT) Act, 2000. The IT Act has provisions for removal of objectionable online content. Section 79 of the Act and The Information Technology (Intermediary Guidelines) Rules, 2011 require that the Intermediaries shall observe due diligence while discharging their duties and shall inform the users of computer resources not to host, display, upload, modify, publish, transmit, update or share any information that is, inter alia, grossly harmful, harassing, defamatory, libellous, invasive of another's privacy, hateful, or racially, ethnically objectionable, disparaging, or otherwise unlawful in any manner.

They are also expected to remove any unlawful activity relatable to Article 19(2) of the Constitution of India as and when brought to their knowledge either through a court order or through a notice by an appropriate government or its agency. In addition, Section 69A of the Information Technology Act, 2000 empowers Government to block any information generated, transmitted, received, stored or hosted in any computer resource in the interest of - (i) sovereignty and integrity of India, (ii) defence of India, (iii) security of the State, (iv) friendly relations with foreign States, (v) public order, or (vi) for preventing incitement to the commission of any cognizable offence relating to above following due process as defined under the The Information Technology (Procedure and Safeguards for Blocking for Access of Information by Public) Rules , 2009.

Government has sought detailed clarifications from TikTok and have asked them to respond by 22.7.2019. Also a writ petition (Civil) No. No.7855 of 2019 filed in Hon'ble High Court of Madras (Madurai Bench) is sub-judice.

(d) and (e): Cyber space is a complex environment of people, software, hardware and services on the Internet. With a borderless cyberspace coupled with the possibility of instant communication and anonymity, the potential for circulation of misinformation and malicious content is a global issue. Government is committed to freedom of speech and expression and privacy of its citizens as enshrined in the constitution of India.

Government does not monitor content appearing on internet. Moreover, 'Police' and 'Public Order' are State subjects as per the Constitution of India and States are primarily responsible for prevention, detection and investigation of cybercrimes through their law enforcement machinery. The Law Enforcement Agencies take legal action against the cyber-crime offenders as per the provisions of applicable laws.

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