

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
LOK SABHA
UNSTARRED QUESTION NO. 4635
TO BE ANSWERED ON: 24.03.2021

IMPACT OF NEW IT RULES

4635. DR. T.R.PAARIVENDHAR:

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

- (a) whether the Government has laid down Information Technology (Guidelines for Intermediaries and Digital Media Ethics Code) Rules, 2021 and if the details thereof;
- (b) the salient features of the said new rules and the impact it is going to have on social and digital media companies; and
- (c) the time by which this rule will be implemented?

ANSWER

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

(a) to (c): Government of India has notified the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 on 25th February 2021 under the Information Technology Act, 2000. These Rules are available on Ministry of Electronics & Information Technology (MeitY) website : https://www.meity.gov.in/writereaddata/files/Intermediary_Guidelines_and_Digital_Media_Ethics_Code_Rules-2021.pdf.

The Rules are primarily in two parts. Part-II of the Rules, broadly administered by MeitY provide for due diligence to be followed by intermediaries and the additional due diligence to be followed by significant social media intermediaries. The rules aim to protect the rights of users and make the social media intermediary platforms accountable to laws of India against the online content, information and activities. The social media platforms are enjoined to develop a robust grievance redressal system. The intermediaries are required to publish privacy policy, rules and regulations and terms and conditions. They are also expected to remove/disable content as and when brought to their knowledge either through a court order or through a notice by appropriate government or its agency. 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.

Part-III of the Rules, administered by Ministry of Information & Broadcasting, require that publishers of news and current affairs shall observe the Code of Ethics which includes adherence to :

- (i) Norms of Journalistic Conduct of the Press Council of India under the Press Council Act, 1978;
- (ii) Programme Code under section 5 of the Cable Television Networks Regulation Act, 1995;
- (iii) Content which is prohibited under any law for the time being in force shall not be published or transmitted.

The Rules also suggest a balanced approach to create a soft-touch self-regulatory architecture and a Code of Ethics and three tier grievance redressal mechanism for digital media in the nature of News and Current

affairs in the online platform and Films and Audio-visual programmes made available by the online content providers.

The Rules have come in effect from the date of their notification, i.e. 25-02-2021, except for the additional due diligence for significant social media intermediaries, which shall come in effect 3 months after notification of these Rules.
