

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
RAJYA SABHA
UNSTARRED QUESTION NO.2113
TO BE ANSWERED ON: 12.03.2020

INVESTIGATION AGAINST SOCIAL MEDIA SITES

2113. SHRI DIGVIJAY SINGH:

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

- (a) whether the Minister of Information Technology or Minister of Home Affairs has ordered investigation against the social media sites which are spreading fake news or posting provocative statements through their social media account and whether Government had accessed a study conducted by the London School of Economics on the subject; and
- (b) whether Government has taken any action against all those who have been spreading fake news?

ANSWER

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

(a): Ministry of Electronics and Information Technology (MeitY) has not ordered any investigation against the social media sites which are spreading fake news or posting provocative statements through their social media account. Also no such study by London School of Economics on the said subject has been forwarded to MeitY.

(b): 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 misuse of cyberspace and social media platforms for criminal activities including spreading fake news is a global issue.

The Information Technology (IT) Act, 2000 has provisions for removal of objectionable online content. Section 79 of the Act provides that intermediaries are required to disable/remove unlawful content on being notified by appropriate government or its agency or through a court order. Further, the Information Technology (Intermediaries Guidelines) Rules, 2011 notified under this section require that the intermediaries, which includes social media platforms, 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 harmful, objectionable, and unlawful in any way. Also,.

Also, section 69A of the IT Act, 2000 empowers Government to block any information generated, transmitted, received, stored or hosted in any computer resource in the interest of sovereignty and integrity of India, defence of India, security of the State, friendly relations with foreign states or public order or for preventing incitement to the commission of any cognizable offence relating to above.

“Police” and “Public Order” are State subjects as per the Constitution of India; and prevention, detection, investigation and prosecution of crimes; and capacity building of police personnel are primarily responsibility of States. The Law Enforcement Agencies (LEAs) take legal action as per provisions of law against the cyber crime offenders.

Government has taken several steps to address the challenges of misinformation and rumors spreading via social media platforms. These, *inter alia*, include:

- (i) Ministry of Electronics & Information Technology (MeitY) and Ministry of Home Affairs (MHA) as well as Police are in regular touch with various social media platforms to effectively address the issue of removal of objectionable content.
- (ii) Ministry of Information and Broadcasting has set up a dedicated cell (Counter Misinformation Unit) under Press Information Bureau (PIB) as a measure to counter fake news on policies, schemes, programs etc. by Government of India. The Unit has a presence on prominent social media platforms like Twitter, Facebook and Instagram. The Unit takes *suo moto* cognizance of fake news going viral on social media and also on basis of outside complaints.
- (iii) Ministry of Home affairs (MHA) has issued a number of advisories which includes advisory on untoward incidents in the name of protection of cows dated 09.08.2016, advisory on cyber-crime prevention and control dated 13.01.2018 and also an advisory on incidents of lynching by mobs in some States fueled by rumors of lifting/kidnapping of children dated 04.07.2018.
- (iv) MeitY through a program, namely, Information Security Education & Awareness (ISEA), has been creating awareness among users highlighting the importance of following the ethics while using Internet and advising them not to share rumors/fake news. A dedicated website for information security awareness (<https://www.infosecawareness.in>) provides relevant awareness material.
- (v) MHA has created a Twitter Handle “Cyber Dost” to spread awareness on cyber safety and cyber security. MHA has also published a Handbook for Adolescents/Students on Cyber Safety.
