

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
RAJYA SABHA
STARRED QUESTION NO. *136
TO BE ANSWERED ON: 28.07.2017

UPLOADING AND SHARING OF OBJECTIONABLE VIDEOS

***136 SHRI RAJ BABBAR:**

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

- (a) whether Government is aware that objectionable videos are being uploaded through mobile phones and shared through WhatsApp, if so, the details thereof;
- (b) whether Government has any plan to stop sharing of objectionable videos through mobiles and WhatsApp; and
- (c) if so, the details thereof and the action taken or being taken to stop such objectionable content?

ANSWER

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

(a) to (c): A Statement is laid on the Table of the House.

**STATEMENT REFERRED IN REPLY TO RAJYA SABHA STARRED
QUESTION NO.*136 FOR 28.07.2017 REGARDING
UPLOADING AND SHARING OF OBJECTIONABLE VIDEOS**

(a): Instances of objectionable videos being uploaded through mobile phones and shared through Whats App have been noticed. According to WhatsApp, the messages are end-to-end encrypted and they & any third party can not read them. In other words, the messages are only seen by the sender and the receiver.

Whats App provides a feature to report any objectionable content. However, they also admit that since they do not have the contents of the messages available with them, it limits their ability to take action. A user can take screenshot of the content and share it with appropriate law enforcement authorities.

(b) and (c): The Information Technology (IT) Act, 2000 as amended in 2008, provides for punishment for publishing or transmitting objectionable contents. The Act provides for punishment through following provisions:

- Section 66E: Punishment for violation of privacy
- Section 67: Punishment for publishing or transmitting obscene material in electronic form.
- Section 67A: Punishment for publishing or transmitting of material containing sexually explicit act, etc., in electronic form
- Section 67B: Punishment for publishing or transmitting of material depicting children in sexually explicit act, etc. in electronic form.

In addition, several domain related Acts have provision which restrict/prohibit publication of objectionable contents in electronic form. These, inter alia, include:

- Indian Penal Code 1860;
- The Protection of Children from Sexual Offences Act, 2012,
- The Indecent Representation of Women (Prohibition) Act, 1986

Concerned law enforcement agencies take necessary action for violation noticed or reported as per the law.
