

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
LOK SABHA
UNSTARRED QUESTION NO.1831
TO BE ANSWERED ON: 13.02.2019

CIRCULATION OF MALICIOUS CONTENT

1831 SHRI B.V. NAIK:
SHRI S.P. MUDDAHANUME GOWDA:

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

- (a) whether despite the enactment of IT Act, 2000, misinformation and malicious content is being openly circulated on social media on a daily basis;
- (b) if so, the total number of cases that have come to the notice of the Government during the last four years;
- (c) whether it is a fact that the Government has some additional plan/ policy to counter this spread of false information, if so, the details thereof; and
- (d) the action taken/proposed to be taken by the Government against the guilty?

ANSWER

MINISTER OF STATE FOR ELECTRONICS AND INFORMATION TECHNOLOGY
(SHRI S.S. AHLUWALIA)

(a), (b) and (c) : 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. The social media sites are Intermediaries under the Information Technology (IT) Act, 2000.

The IT Act 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. The Information Technology (Intermediary Guidelines) Rules 2011 notified under section 79 of the IT Act 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 appropriate government or its agency. Government is committed to freedom of speech and expression and privacy of its citizens as enshrined in the constitution of India.

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. Details of URLs having malicious content blocked during the last 4 years under the provisions of said section is as follows :

Year	No. of URLs blocked
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2015	500
2016	633
2017	1385
2018	2799

(d): Government has taken several steps to actively dismiss fake clips and to spread information regarding authenticity of clips. These, *inter alia*, include :

- Ministry of Electronics and Information Technology (MeitY) took note of media reports about spread of fake news, misinformation/disinformation on Internet particularly using WhatsApp platform and issued a notice to WhatsApp on 3.7.2018. In their response, WhatsApp conveyed a number of steps taken by them to address the issue of fake news propagated using their platform.
- 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 fuelled by rumours of lifting/kidnapping of children dated 04.07.2018.
- MeitY and MHA as well as Police are in regular touch with various social media platforms to effectively address the issue of removal of objectionable content.
- MeitY through a program, namely, Information Security Education & Awareness (ISEA), has been highlighting the importance of following the ethics while using Internet and advice not to share rumours/fake news. A dedicated website for information security awareness (<https://www.infosecawareness.in>) has also been set up where a module on fake news have been provided.