

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
RAJYA SABHA
UNSTARRED QUESTION NO.2880
TO BE ANSWERED ON: 18.07.2019

CONTROLLING STREAMING OF ONLINE CONTENTS

2880. DR. SANTANU SEN:

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

- (a) whether Government is aware that several websites are streaming online contents directly into houses without any censorship; and
- (b) if so, whether Government has any plan regarding these platforms?

ANSWER

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

(a) and (b): Websites providing streaming online content are intermediaries as per 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. Intermediaries 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.
