

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
LOK SABHA
UNSTARRED QUESTION NO. 4615
TO BE ANSWERED ON: 24.03.2021

LAW PROPAGANDA ON SOCIAL MEDIA

4615. SHRI AJAY KUMAR MISRA TENI:

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

- (a) whether the Government is contemplating to make any stringent law against the persons who were spreading propaganda on social media against the country and inciting violence in the name of farmers agitation in recent past and if so, the details thereof and if not, the reasons therefor; and
- (b) the extent to which these activities are likely to be curbed by the said law?

ANSWER

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

(a) to (b): The social media platforms are intermediaries as defined in the Information Technology (IT) Act, 2000. In order to provide enhanced user safety as also accountability of social media platforms, Government has released the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 under the Act. These Rules require that the intermediaries follow certain due diligence as prescribed. The intermediaries are required to publish privacy policy, rules and regulations and terms and conditions. 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.

Further, 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. Government takes action on social media accounts and specific information within the scope of section 69A of the Act, following the process defined in the Rules notified under this section.

Further, 'Police' and 'Public Order' are State subjects as per the Constitution of India and States are primarily responsible for prevention, detection and investigation through their law enforcement machinery. The Law Enforcement Agencies take legal action against the cyber-crime offenders as per the provisions of applicable laws.
