

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
RAJYA SABHA
UNSTARRED QUESTION NO.620
TO BE ANSWERED ON: 21.11.2019

REGULATION/LAWS FOR SOCIAL MEDIA

620. SHRI P. BHATTACHARYA:

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

- (a) whether it is a fact that Government is preparing the social media regulation/ laws to regulate social media; and
- (b) if so, the details and salient/key features of these regulations?

ANSWER

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

(a) and (b): Yes, Sir. The social media platforms are intermediaries as defined in the Information Technology (IT) Act, 2000. They have to follow certain due diligence as prescribed in the Information Technology (Intermediaries Guidelines) Rules, 2011 notified under section 79 of the IT Act. Ministry of Electronics & Information Technology (MeitY) had proposed to amend the said Rules and the proposed amendments were published on MeitY website on 24.12.2018 inviting public comments by 31.01.2019. The comments so received were published on MeitY's website on 06.02.2019 inviting counter comments by 14.02.2019. MeitY received 171 comments and 80 counter comments from individual, civil society, industry associations and organisations. The comments so received have been analysed and Rules are being finalised. Key features of proposed amendments in the due diligence to be followed by intermediaries are : (i) periodically informing the users for compliance of rules & regulations, users agreement & privacy policy, (ii) traceability of the originator of the information, (iii) significant intermediaries having more than 50 lakh users to have an office in India and to appoint a nodal officer for liaising with law enforcement agencies, (iv) removal of malicious content in 24 hours upon receiving a court order or when notified by appropriate government, (v) deployment of technology based automated tools or appropriate mechanisms for proactively identifying and removing or disabling public access to unlawful information or content, etc.
