

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
RAJYA SABHA
UNSTARRED QUESTION NO. 3448
TO BE ANSWERED ON 01.04.2022

GRIEVANCE REDRESSAL MECHANISM OF DIGITAL MEDIA PLATFORMS

3448. SMT. PRIYANKA CHATURVEDI:

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

- (a) whether all digital media platforms, including intermediaries and publishers, have a robust grievance redressal mechanism;
- (b) whether all digital media platforms have appointed a Grievance Officer for resolving complaints from the users or victims;
- (c) the details of the intermediary platforms not complying with The Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021; and
- (d) the details of the measures taken by Government in this regard against non-compliant digital intermediaries?

ANSWER

MINISTER OF STATE FOR ELECTRONICS AND INFORMATION TECHNOLOGY
(SHRI RAJEEV CHANDRASEKHAR)

(a) and (b): The Government policies are aimed at ensuring that Internet in India is Open, Safe & Trusted and Accountable for all users. All online intermediaries and publishers, rendering services in India have to abide by the provisions of the Information Technology (IT) Act, 2000 and the Rules notified thereunder including the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 ("IT Rules 2021").

Part II of the IT Rules, 2021 provide for robust grievance redressal mechanism with details of Grievance Officers to be published on the concerned intermediary platforms. The Rules also prescribe the additional due diligence to be followed by significant social media intermediaries (SSMI) having 50 lakh or more registered users in India. They are required to have a physical contact address in India and also appoint Chief Compliance Officer, Nodal Contact Person and Grievance Officer resident in India.

Part III of the IT Rules, 2021 *inter-alia* provide for a Code of Ethics to be adhered to by digital news publishers and publishers of online curated content (OTT Platforms) and a three tier grievance redressal mechanism for addressing grievances related to the violation of the Code of Ethics as under:

- (i) Level I: Self-regulation by the publishers;
- (ii) Level II: Self-regulation by the self-regulatory Bodies of publishers;
- (iii) Level III: Oversight Mechanism by the Central Government.

As per the information received from the Ministry of Information and Broadcasting (MIB) –

- At level-I, the publishers have to appoint the grievance officers under Rule 11. As per information furnished by publishers of news and current affairs on digital media and OTT Platforms under Rule 18, over 2400 digital publishers have appointed Grievance Officers as required under Rule 11 of IT Rules, 2021.
- At level-II of the grievance redressal mechanism, 5 Self-Regulatory Bodies (SRBs) have been registered with MIB.
- At Level-III the Oversight Mechanism of the Government, an Inter-Departmental Committee (IDC), headed by Authorized Officer and consisting of representatives of various Ministries and domain experts, has been constituted.

(c) and (d): The Cyber Space is virtual and borderless where any intermediary can operate from anywhere in the world. There are several hundreds of thousands of intermediaries on internet. MeitY, *suo moto*, does not track compliance by intermediaries, but relies on the reporting by the users of non-compliance, if any.

In case of non-compliance by intermediaries, rule 7 of these Rules becomes applicable and they are liable to lose their exemption from liability under section 79 of the IT Act, 2000.
