

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
RAJYA SABHA
UNSTARRED QUESTION NO. 2913
TO BE ANSWERED ON: 19.03.2020

MISUSE OF DIGITAL AND SOCIAL MEDIA

2913. SHRI VIJAY PAL SINGH TOMAR:

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

- (a) whether Government has noted the increasing misuse of digital and social media, if so, the details thereof and the action being taken by Government in this regard; and
- (b) whether any persons involved in such anti-social activities has been apprehended, if so, the number of such persons and the details of punishment awarded to them?

ANSWER

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

(a): Cyber space is a complex environment of people, software, hardware and services on the Internet. With widespread proliferation of new technologies like social media, there are some miscreants who are misusing these technologies for nefarious purposes. Such behavior is facilitated by virtual and borderless nature of cyber space, where anyone can open account in any name including fake name from any part of the world.

The Information Technology (IT) Act, 2000 has provisions for removal of objectionable online content. The Information Technology (Intermediary Guidelines) Rules 2011 notified under this section require that the intermediaries, which includes social media platforms, 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 harmful, objectionable, and unlawful in any way. Also, section 79 of the Act provides that intermediaries are required to disable/remove unlawful content through a court order or on being notified 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.

: 2:

Government has taken several steps to address the challenges of misinformation and rumors spreading via social media platforms. These, *inter alia*, include:

- (i) Ministry of Electronics & Information Technology (MeitY) and Ministry of Home Affairs (MHA) as well as Police are in regular touch with various social media platforms to effectively address the issue of removal of objectionable content.
- (ii) MeitY regularly interacts with social media platforms on issues related to spread of fake news, misinformation/disinformation on Internet. Social media platforms have implemented a number of steps to address the issue of fake news propagated using their platform.
- (iii) 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 fueled by rumors of lifting/kidnapping of children dated 04.07.2018.
- (iv) MeitY through a program, namely, Information Security Education & Awareness (ISEA), has been creating awareness among users highlighting the importance of following the ethics while using Internet and advising them not to share rumors/fake news. A dedicated website for information security awareness (<https://www.infosecawareness.in>) provides relevant awareness material.

(b): '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. MeitY does not maintain such data.
