

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
RAJYA SABHA
UNSTARRED QUESTION NO. 2332
TO BE ANSWERED ON 17.12.2021

LAW AGAINST SPREADING MISINFORMATION ON SOCIAL MEDIA

2332. DR. KIRODI LAL MEENA:

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

- (a) whether Government proposes to enact any strict law against those who are spreading misinformation on social media and who are inciting violence in the name of an ongoing movement in the country, if so, the details thereof; 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 RAJEEV CHANDRASEKHAR)

(a) and (b): The Government is aware of the risk and danger posed by growing phenomena of misuse of Internet & various social media platforms by criminals and other elements and the user harms caused as a consequence.

The Government has taken steps to address the challenges due to misuse of social media. The Government, on 25.02.2021 has notified the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 under the Information Technology (IT) Act, 2000. These Rules require that the intermediaries follow certain due diligence as prescribed. They are required to publish privacy policy and terms of use of their platform. They are required to inform their users not to host, display, upload, modify, publish, transmit, update or share any information that is harmful, objectionable, and unlawful in any way. They are also required to remove any unlawful content relatable to Article 19(2) of the Constitution of India or violative of any law for the time being in force as and when brought to their knowledge either through a court order or through a notice by appropriate Government or its agency. Ministry of Electronics and Information Technology, has further published a detailed document of Frequently Asked Questions (FAQs) communicating the intent of these Rules in simple and easy to understand language for all its stakeholders.

Further, the Government takes action under section 69A of IT Act 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.

Also, section 79 of the IT Act provides that intermediaries are required to disable/remove unlawful content relating to Article 19(2) of the Constitution either through a court order or on being notified by appropriate Government or its agency.
