

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
RAJYA SABHA
UNSTARRED QUESTION NO. 2654
TO BE ANSWERED ON 25.03.2022

GRIEVANCES RECEIVED UNDER IT RULES, 2021

2654. SHRI JAWHAR SIRCAR:

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

- (a) the number of intermediaries and significant intermediaries identified or registered in terms of Part II of the IT Rules, 2021, their names, details and brand names thereof;
- (b) the number of court cases filed against certain provisions in these Rules;
- (c) the number of grievances received under Part II of the Rules and acted upon so far; and
- (d) whether persons designated as Level I, II and III of Part III of the new Rules are in position?

ANSWER

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

(a): The Government policies and Rules are amended ensuring Open, Safe & Trusted and Accountable Internet in India. Part II of the Information Technology (Intermediary Guidelines and Digital Media Ethics Codes) Rules, 2021 (IT Rules, 2021) provides for due diligence to be followed by the intermediaries including significant social media intermediaries (SSMIs) rendering services in India.

Entities providing services like Search engines, email services, online storage services, Internet service providers, web hosting service providers, online payment sites, online auction sites, app stores, content delivery networks, online aggregators, online market place, social media platforms etc generally qualify as Intermediaries.

There is no mandate under the Information Technology (IT) Act, 2000 and the said Rules for registration of such intermediaries and/or SSMIs.

(b): There are 20 (twenty) cases in various High Courts challenging certain provisions of the IT Rules, 2021.

(c): Part II of the IT Rules, 2021 mandates that all intermediaries including SSMIs shall publish details of Grievance Officers on their platforms/ websites. The grievances are directly received and responded by the concerned intermediaries. As mandated in the said Rules, SSMIs provide

details of grievances received and responded, as part of their compliance reports, published on a monthly basis on their website/ mobile Apps. Government does not separately maintain the list of grievances received.

(d): 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:

- a) Level I: Self-regulation by the publishers;
- b) Level II: Self-regulation by the self-regulatory Bodies of publishers;
- c) 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. More than 2400 online publishers have furnished information and confirmed appointment of their Grievance Officers.
- 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.
