

GOVERNMENT OF INDIA  
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY  
**RAJYA SABHA**  
**STARRED QUESTION NO. \*241**  
TO BE ANSWERED ON: 18.03.2021

**REGULATION OF ONLINE CONTENT**

**\*241 SHRI G.C. CHANDRASHEKHAR:**

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

- (a) the steps taken by Government to regulate social media platforms for curbing fake news and misinformation; and
- (b) the measures taken by Government to put restriction on the use of social media platforms in election campaigns and to remove unlawful content?

**ANSWER**

MINISTER FOR ELECTRONICS AND INFORMATION TECHNOLOGY (SHRI RAVI  
SHANKAR PRASAD)

(a) and (b): A statement is laid on the Table of the House.

**STATEMENT REFERRED TO IN REPLY TO RAJYA SABHA STARRED  
QUESTION NO. \*241 FOR 18-03-2021 REGARDING REGULATION OF ONLINE  
CONTENT**

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(a) and (b): The social media platforms, for the user generated content made available on their platforms, are intermediaries as defined in the Information Technology (IT) Act, 2000. Section 79 of the Act provides exemption from liability to intermediaries, provided they follow certain due diligence and are required to disable/remove unlawful content relatable to Article 19(2) of the Constitution, on being notified by appropriate government or its agency or through court order. In order to provide enhanced user safety as also accountability of social media platforms, Government has released the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 under the Act that specifies the due diligence to be followed by all the intermediaries including the social media intermediaries.

The issue is not about use of social media but its misuse/abuse. The Rules basically enjoin upon social media platforms to create an effective grievance redressal mechanism, where any stance of fake post/ fake news or a women being portrayed in undignified manner needs to be resolved within stipulated timeframe. The Rules, therefore are designed to empower the users of social media against its abuse and misuse.

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.

The Government welcomes criticism, dissent and also the rights of people to ask questions on social media. However, this needs to be acknowledged that the fundamental right of speech and expression under article 19(1) is also subject to reasonable restrictions under article 19(2) of the Constitution which can be imposed in the interest of security,

safety and sovereignty of India, public order, friendly relations with foreign countries etc. It is equally important that social media should not be abused or misused to defame, promote terrorism, rampant violence and compromise the dignity of women. It is for these challenges that the intermediaries are expected to remove/disable content as and when brought to the knowledge of intermediaries either through a court order or through a notice by appropriate government or its agency or when directed under section 69A of the IT Act 2000, following due process of law.

Also, Ministry of Information and Broadcasting has set up a dedicated cell (Counter Misinformation Unit) under Press Information Bureau (PIB) as a measure to counter fake news on policies, schemes, programs etc. by Government of India. The Unit has a presence on prominent social media platforms like Twitter, Facebook and Instagram. The information is also available on <https://pib.gov.in/factcheck.aspx>. The unit takes suo moto cognizance of fake news going viral on social media and also on basis of outside complaints.

MeitY actively participated in a Committee specially constituted by Election Commission of India (ECI) to address the issue of misuse of digital and social media in election campaign. Based on the recommendations of the Committee, the ECI has worked closely with the industry. A code of

commitment was developed in last general election held in 2019. Both Election Commission and social media platforms worked as per the code of commitment for speedy removal of any objectionable or unlawful content. ECI has also set up a Social Media Communication Hub which is responsible for dissemination of information related to election, thereby minimising spread of misinformation including fake clips through different social media platforms.