

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
LOK SABHA
UNSTARRED QUESTION NO. 1133
TO BE ANSWERED ON: 8.2.2023

ACCOUNTABILITY OF SOCIAL MEDIA

1133. SHRI AJAY NISHAD:

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

- (a) whether the Government proposes to appoint an officer to hold the accountability of social media and if so, the details thereof;
- (b) the details of action taken by the Government against social media companies so far along with the number of social media accounts suspended during the last one year;
- (c) whether the Government has undertaken any study with regard to the impact of Government control on social media vis-a-vis the right to freedom of expression enshrined in the constitution; and
- (d) if so, the details along with the outcomes thereof?

ANSWER

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

(a): The Government's objective is to ensure an Open, Safe, Trusted and Accountable Internet for Digital Nagrik or citizens.

To ensure that, the Central Government, in exercise of powers conferred by the Information Technology Act, 2000 ("IT Act"), has notified the new Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 ("IT Rules, 2021"). These new rules cast specific obligation on intermediaries vis-à-vis what kind of information is to be hosted, displayed, uploaded, published, transmitted, stored or shared. Intermediaries are also required to remove any content 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 authorised agency. In case of failure to follow diligence as provided in the IT Rules, 2021, by intermediaries, they shall lose their exemption from liability under section 79 of the IT Act and shall be liable for consequential action as provided in such law. Further, in case an intermediary is a significant social media intermediary (an intermediary having more than 50 lakh registered users in India), to additionally observe due diligence in terms of appointing, in India, a Grievance Officer, a Chief Compliance Officer and a nodal contact person for 24x7 coordination with law enforcement agencies. As per the IT Rules, 2021, the Chief Compliance Officer is responsible for ensuring compliance with the IT Act and the rules made thereunder.

Keeping in view complaints regarding action or inaction, on the part of the social media intermediaries and other intermediaries on user grievances regarding objectionable content or suspension of their accounts, the Central Government has also established three GACs (Grievance Appellate Committees), as provided for in the said IT Rules, 2021 to enable users to appeal against the decisions taken by Grievance Officer of intermediaries on user complaints.

(b): Section 69A of the IT Act empowers Government to block information for access by public 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. For blocking of information under section 69A, the Government follows the process prescribed under the Information

Technology (Procedure and Safeguards for Blocking for Access of Information for Public) Rules, 2009. The Ministry of Electronics and Information Technology issued directions under section 69A of the IT Act for blocking a total of 6,775 Uniform Resource Locators (URLs) in the year 2022, which include URLs for webpages, websites and content and accounts on social media platforms.

(c): The Government does not interfere or control social media intermediaries and also does not cast any fetters freedom of expression on their users. The IT Rules, 2021, casts specific obligations on the intermediaries that no intermediaries shall not violate the rights accorded to citizens under the Constitution, including in articles 14 (equality before law), 19 (protection of rights regarding freedom of speech, etc.) and 21 (protection of life and personal liberty), while discharging their duties.

(d): Does not arise.
