

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
LOKSABHA
UNSTARRED QUESTION NO.1776
TO BE ANSWERED ON: 27.07.2022

CHECK ON PROVOCATIVE POSTS

1776. SHRI RAM KRIPAL YADAV:

Will the Minister of ELECTRONICS AND INFORMATION TECHNOLOGY be pleased to state:

- (a) whether the Government is taking any steps to put a check on provocative posts being posted on social media platforms like Twitter/Facebook; and
- (b) whether the Government contemplates to make provisions for punishing the one involved in such activities?

ANSWER

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

(a): In order to address the challenges to prevent the spread of provocative post through social media platforms, the Ministry of Electronics and Information Technology (MeitY), on 25.02.2021 has notified the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 (IT Rules 2021) under the Information Technology Act (IT Act), 2000. These Rules require that the intermediaries follow certain due diligence as prescribed. Intermediaries are required to publish privacy policy and terms of use of their platform. They are also 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. In addition, they are also required to remove any unlawful information, prohibited under any law, as and when brought to their knowledge either through a court order or through a notice by appropriate government or its agency.

Further, if any nodal officer sends requests for blocking of any such provocative posts that attracts the provision of section 69A of the Information Technology Act 2000, MeitY issues blocking directions to block such provocative post(s) after following the due process as envisaged in the Information Technology (Procedure and Safeguards for Blocking for Access of Information by Public) Rules, 2009.

(b): 'Police' and 'Public Order' are State subjects as per the Seventh Schedule of the Constitution of India. States/UTs are primarily responsible for the prevention, detection, investigation and prosecution of crimes through their Law Enforcement Agencies (LEAs). The LEAs take legal action as per provisions of law against the offenders.
