

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
LOK SABHA
UNSTARRED QUESTION NO. 1083
TO BE ANSWERED ON: 8.2.2023

MISUSE ON SOCIAL MEDIA AND ONLINE NEWS PLATFORM

1083. SHRI MADDILA GURUMOORTHY:

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

- (a) whether the Government has any plan to implement a new scheme on safeguarding the right to freedom of expression of the citizens and prevention of the misuse of social media and online news platform;
- (b) if so, the details thereof;
- (c) the manner in which the Government proposes to implement the said new scheme and the steps taken by the Government in this regard; and
- (d) the time by which, the new scheme is likely to be implemented and the benefits that are likely to be accrued to the common people therefrom?

ANSWER

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

(a) and (b): The policies of the Government are aimed at ensuring an Open, Safe and Trusted and Accountable Internet for its users. With the expansion of the Internet and more and more Indians coming online, the number of Indians exposed to misuse of social media and online news platforms has also grown.

Towards this, 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 IT Rules, 2021 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.

The intermediaries are also not to host, store or publish unlawful information prohibited under law for the time being in force, on a voluntary basis on violation of the above, and on actual knowledge upon receipt of a grievance or court order or notice from the appropriate government or its agency.

The enhanced due diligence required includes respecting 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.

(c) and (d): The IT Rules, 2021 have been notified by the Government and are in force across the country.
