

GOVERNMENT OF INDIA  
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY  
**RAJYA SABHA**  
**UNSTARRED QUESTION NO. 3449**  
TO BE ANSWERED ON 01.04.2022

**COMPLAINTS RESOLVED UNDER IT RULES, 2021**

**3449. SMT. PRIYANKA CHATURVEDI:**

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

(a) the number of complaints notified and resolved by the appropriate Government or its authorized agency under The Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021;

(b) whether Government has any plan to revise Section 79 of the IT Act which provides intermediaries exemption from punishment for third-party content posted on its website, thereby decreasing their accountability; and

(c) if not, the other measures that exist to ensure greater accountability by the digital intermediaries, especially in cases of online harassment and commodification?

**ANSWER**

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

(a): The Government is committed to ensure that the Internet in India is Open, Safe & Trusted and Accountable for all users. As per the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 ("IT Rules, 2021"), online intermediaries are expected to remove any information violative of any law in India as and when brought to their knowledge either through a court order or through a notice by an appropriate government or its authorised agency.

The notices are sent directly by the appropriate governments or their authorised agencies and acted upon by the concerned intermediaries. As mandated in the said Rules, significant social media intermediaries (SSMIs) provide details of grievances/complaints received and responded, as part of their compliance reports, published on a monthly basis on their website/ mobile Apps. This Ministry does not separately maintain the list of grievances received.

(b): There is no such proposal under consideration of this Ministry.

(c): The IT Rules, 2021 empower the users of Intermediaries and makes the social media platforms accountable for users' safety.

The Rules *inter alia* provide for

- conveying their terms and conditions to their users which must include communication not to host, display, upload, modify, publish, transmit, update or share any information that is *inter alia* harmful, defamatory, obscene, invasive of another's privacy, harm minors in any way or are otherwise unlawful.
- Expeditious removal of any content which is *prima facie* in the nature of any material which exposes the private area of such individual, shows such individual in full or partial nudity or shows or depicts such individual in any sexual act or

conduct, or is in the nature of impersonation in an electronic form, including artificially morphed images of such individual.

- A time-bound grievance redressal mechanism.

In case of non-compliance by intermediaries, rule 7 of these Rules becomes applicable and they are liable to lose their exemption from liability under section 79 of the IT Act, 2000.

Further, 'Police' and 'Public Order' are State subjects as per the Seventh Schedule of the Constitution of India. The Law Enforcement Agencies at Centre and States, as appropriate, take legal action as per provisions of law against the violation of the Act.

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