

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
LOK SABHA
UNSTARRED QUESTION NO. 3580
TO BE ANSWERED ON: 17.03.2021

GUIDELINES FOR SOCIAL AND DIGITAL MEDIA

3580. SHRI ASADUDDIN OWAISI:
SHRI SYED IMTIAZ JALEEL:

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

- (a) whether Government has recently announced any guidelines for social media including OTT platforms and digital media, bringing them under purview of specific regulations for the first time and if so, the details thereof;
- (b) whether social media platforms are mandated to identify source of objectionable content within 72 hours of being asked by investigating/cyber security agencies;
- (c) if so, the details thereof and the other conditions imposed on social media under the said guidelines; and
- (d) whether these rules violates fundamental rights of expression of citizens and if so, the details thereof?

ANSWER

MINISTER OF STATE FOR ELECTRONICS AND INFORMATION TECHNOLOGY (SHRI
SANJAY DHOTRE)

(a) to (c): Government has released the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 notified under the Information Technology Act, 2000. These Rules require that the intermediaries including social media platforms, OTT streaming platforms and other digital media follow certain due diligence as prescribed. These Rules also require that such entities, which are publishers of online curated content and which primarily enable the transmission of online curated content, shall follow certain due diligence and the Code of Ethics as prescribed.

The Rules also specify that the intermediary including social media platforms shall, expeditiously but not later than seventy two hours of the receipt of a lawful order, provide information under its control or possession, or any assistance to the Government agency who is lawfully authorised for investigative or protective or cyber security activities, for the purposes of verification of identity, or for the prevention, detection, investigation, or prosecution, of offences under any law for the time being in force, or for cyber security incidents.

(d) : Government respects freedom of speech and expression as laid down in Article 19(1) of the Constitution subject to reasonable restriction as stated in Article 19(2).
