

**Bill No. XX of 2018**

THE INFORMATION TECHNOLOGY (AMENDMENT) BILL, 2018

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**BILL**

*further to amend the Information Technology Act, 2000.*

BE it enacted by Parliament in the Sixty-ninth Year of the Republic of India as follows:—

1. (1) This Act may be called the Information Technology (Amendment) Act, 2018.

Short title and  
commence-  
ment.

5 (2) It shall come into force on such date, as the Central Government may, by notification in the Official Gazette, appoint.

2. In the Information Technology Act, 2000 (hereinafter referred to as the principal Act), after section 67B, the following sections shall be inserted, namely:—

Insertion of  
new sections  
67BA and  
67BB.

10 “67BA. Whoever publishes or transmits or causes to be published or transmitted in the electronic form, any material which is repugnant to well established cultural ethos, shall be punished on first conviction with imprisonment of either description for a term which may extend to six months and with fine which may extend to two lakh rupees and in the event of second or subsequent conviction with imprisonment of either description for a term which may extend to two years and also with fine which may extend to five lakh rupees:

Punishment  
for publishing  
or transmi-  
tting material  
repugnant to  
cultural ethos.

Provided that any material shall not be deemed to be against cultural ethos merely on the ground that it goes against or contradicts an established practice or custom.”

Punishment for hosting dangerous online gaming resource.

“67BB. Whoever hosts any online gaming resource which induces users to commit—

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(a) dangerous acts which are harmful to such users or others; or

(b) acts which cause injury to themselves or others; or

(c) any illegal act;

shall be punished on first conviction with imprisonment of either description for a term which may extend to one year and with fine which may extend to two lakh rupees and in the event of second or subsequent conviction with imprisonment of either description for a term which may extend to three years and also with fine which may extend to five lakh rupees.”

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Insertion of new Chapter XIIB.

3. In the principal Act, after Chapter XIIA, the following Chapter shall be inserted, namely—

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#### “CHAPTER XIIB

##### SPECIAL PROVISIONS RELATING TO ONLINE GAMING

Special provisions for gaming resources.

“79B. Whoever hosts an online gaming resource or produces any storage media containing a gaming resource to be sold offline, shall ensure that—

(a) the game resource is categorised for use by appropriate age group on the basis of game contents; and

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(b) there is a suitable mechanism within the game resource to warn the users against repeating the dangerous acts, if any, shown in the game in their real lives.”

## STATEMENT OF OBJECTS AND REASONS

The information technology has been the biggest change that has been brought in human life during the last few decades. It has touched every aspect of our lives and changed the way we live. With the advent of smartphones, the information technology has reached the hands of each and every individual. However, information technology is not an unmixed blessing.

In the last few months, we witnessed a series of incidents where children were doing dangerous act just to complete task given in a game called Blue Whale Challenge. Soft minds of children were completely captured by the game and they were tasked to do acts such as carving figure on arm, inflicting injury on self and eventually committing a suicidal act. Not just worldwide, in India too a number of children lost their lives while attempting Blue Whale tasks. Mindful of the dangers posed by this trend, the Central Government did sensitise administration and schools. As a result, we were able to rescue a number of children from the clutches of this fatal game.

Still, there are many games in public domain which involve a lot of violent and pernicious acts. Therefore, it is necessary that adequate safeguards are placed in law to protect players of such games, especially children, from any undesirable effects of these games.

Another worrisome aspect about what is being offered over internet is that it militates against the cultural ethos of the country which we have valued and preserved for centuries. Today, our children and youth are exposed to all kinds of literature, videos, etc. that are repugnant to our cultural values and tend to undermine them. If we are to protect our great cultural ethos, we must act now to protect our children and youth from all kinds of cultural invasions over the internet.

With the above objects in consideration, the Bill seeks to amend the Information Technology Act, 2000 to provide adequate safeguards against dangerous gaming resources and online material that militate against our cultural values and ethos.

The Bill seeks to achieve the above objects.

NARAYAN LAL PANCHARIYA

RAJYA SABHA

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further to amend the Information Technology Act, 2000.

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*(Shri Narayan Lal Panchariya, M.P.)*