

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
RAJYA SABHA
UNSTARRED QUESTION NO. 904
TO BE ANSWERED ON: 22.12.2017

SPREAD OF MISINFORMATION AND MALICIOUS CONTENT ON SOCIAL MEDIA

904. SHRI P.L. PUNIA: SHRI MAHENDRA SINGH MAHRA:

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

- (a) whether it is a fact that despite the enactment of IT Act, 2000, misinformation and malicious content is being openly circulated on social media on daily basis;
- (b) whether Government has any additional plan/policy to counter this spread of false information, if so, the details thereof;
- (c) whether Government is aware that many anti-social persons, posting malicious content on social media, have been misusing photographs of many Union Ministers and senior leaders to assert their legitimacy for violating the IT Act, 2000; and
- (d) if so, the details of action taken by Government against them?

ANSWER

MINISTER OF STATE FOR ELECTRONICS AND INFORMATION TECHNOLOGY
(SHRI ALPHONS KANNANTHANAM)

(a) to (d) : Cyber space is a complex environment of people, software, hardware and services on the Internet. Cyberspace has distinct and unique characteristics as compared to physical space. The cyberspace is virtual, borderless and offers anonymity to a large extent. With a borderless cyberspace coupled with the possibility of instant communication and anonymity, the potential for taking undue advantages by anti-national and anti-social elements with impunity in committing crimes using state of the art methods is higher than ever, posing a threat to sovereignty and integrity of the country.

With widespread proliferation of new technologies like social media and mobile apps, etc. there are some negative elements who are misusing these technologies for committing cyber crimes. Such behavior is facilitated by virtual and borderless nature of cyber space, where anyone can open an account in any name including fake name from any part of the world at any time. Most social networking sites donot do background information check and have their servers abroad.

Government has adequate institutional mechanism under the Information Technology Act, 2000, Indian Penal Code (IPC), Indecent Women Representation Act, POCSO etc. to bring culprits under book. It is technically challenging to detect and prevent uploading of misinformation and malicious content proactively. Government takes action as and when any objectionable content is brought to its knowledge.

Whenever any inflammatory harmful and hateful content on various social networking sites is brought to the notice of the Government by the Security/Intelligence Agencies, action is taken under section 69A of the Information Technology Act, 2000, if the content has the potential to affect the interest of Sovereignty and Integrity of India, defence of India, security of the State, friendly relations with foreign States or public order or for preventing incitement to the commission of any cognizable offence relating to above. On a case-to-case basis, the concerned social media platforms are also approached for removal/blocking of specifics.

The Information Technology (IT) Act, 2000 has provisions for removal of objectionable online content. The Information Technology (Intermediary Guidelines) Rules 2011 notified under section 79 of the IT Act requires that the Intermediaries shall observe due diligence while discharging their duties and shall inform the users of computer resources not to host, display, upload, modify, publish, transmit, update or share any information that is harmful, objectionable, affect minors and unlawful in any way.
