

GOVERNMENT OF INDIA  
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY  
**RAJYA SABHA**  
**UNSTARRED QUESTION NO. 566**  
TO BE ANSWERED ON: 14.12.2018

**APPOINTMENT OF ADJUDICATING OFFICERS UNDER IT ACT**

**566 SMT. VANDANA CHAVAN:**

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

- (a) whether Adjudicating Officers have been appointed under Section 46 of the Information Technology Act, 2000;
- (b) if so, the details of the number of Adjudicating Officers appointed, State-wise, and if not, the reasons therefor;
- (c) the details of the number of cases filed and disposed of before the Adjudicating Officers in the last five years, State-wise; and
- (d) the procedural safeguards in the applicable law and regulations to ensure that the parties appearing before the Adjudicating Officer receive a fair hearing?

**ANSWER**

MINISTER OF STATE FOR ELECTRONICS AND INFORMATION TECHNOLOGY  
(SHRI S.S. AHLUWALIA)

(a), (b) and (c): Secretaries of Department of Information Technology of each State and Union Territory have been appointed as Adjudicating Officer under section 46 of Information Technology (IT) Act 2000. The cases of Cyber contravention heard by Adjudicating Officer are State subject and such data is not maintained by Ministry of Electronics & Information Technology (MeitY).

(d): The procedural safeguards for manner of holding enquiry by Adjudicating Officer have been prescribed through the Information Technology (Qualification and Experience of Adjudicating Officer and Manner of Holding Enquiry) Rules, 2003 notified under section 46 of the IT Act 2000.

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