

GOVERNMENT OF INDIA  
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY  
**RAJYA SABHA**  
**UNSTARRED QUESTION NO. 1044**  
TO BE ANSWERED ON: 10.02.2023

**AMENDMENTS TO IT RULES**

**1044. DR. JOHN BRITTAS:**

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

- (a) whether Government has recently proposed the draft amendment to the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 asking social media platforms to take down news articles that have been deemed "fake" by the Press Information Bureau;
- (b) if so, reasons for bringing the draft amendment;
- (c) whether Government has noted opposition to the draft in the context of freedom of press; and
- (d) if so, the response of Government thereto?

**ANSWER**

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

(a) to (d): The policies of the Government are aimed at ensuring an Open, Safe and Trusted and Accountable Internet for its users. With the expansion of the Internet and more and more Indians coming online, the number of Indians exposed to patently false and untrue or misleading information available on the Internet has also grown.

To help achieve the said aim, the Central Government, in exercise of its powers under Information Technology Act, 2000, has made the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 ("IT Rules"). These rules cast specific obligations on intermediaries, including social media intermediaries, to observe due diligence while discharging its duties. In case of failure to follow diligence as provided in the rules, an intermediary, they are not exempt from liability for any third-party information, data or communication link made available by them and are liable for the same as per law. Such diligence includes the making of reasonable efforts by the intermediary to cause its users not to host, display, upload, publish, transmit or store information which knowingly or intentionally communicates any misinformation, or which is patently false and untrue or misleading in nature.

With a view to achieve the aim of an Open, Safe and Trusted and Accountable Internet, Government had also set up a Fact Check Unit in November 2019 under the Press Information Bureau, which took cognizance of fake news both *suomotu* and by way of queries sent by citizens and, in respect of information pertaining to the Central Government, responded to the same with correct information while identifying fake or misleading information as such.

With a view to strengthen the due diligence by intermediaries under the IT Rules, Government has invited feedback from the public on extending such due diligence to include information identified as fake by the Fact Check Unit of the Press Information Bureau.

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