

GOVERNMENT OF INDIA  
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY  
**RAJYA SABHA**  
**UNSTARRED QUESTION NO. 266**  
TO BE ANSWERED ON: 03.02.2023

**REGULATORY BODY FOR DIGITAL PLATFORMS**

**266. SHRI ANIL DESAI:**

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

- (a) whether it is a fact that there is no regulatory body to oversee objectionable content published in the Print media and no such rule or authority in place to pre-screen content on OTT platforms;
- (b) whether Government proposes formation of any such authority to supervise and control the content on OTT platforms before its uploading; and
- (c) whether Government is aware of harmful effects on society of such vulgar, anti-national and immoral programmes on social media and glorification of any act, commission or omission of the producer of such programmes?

**ANSWER**

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

(a) and (b): The policies of the Government are aimed at ensuring an Open, Safe and Trusted and Accountable Internet for its users. To help achieve the aim of making Internet Open, Safe and Trusted and Accountable, in exercise of powers conferred by the Information Technology Act, 2000, the Central Government has made the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 ("IT Rules"). Content of the publishers of news and current affairs on digital media and publishers of online curated content (OTT Platforms) is regulated by the Ministry of Information and Broadcasting as per the provisions of Part III of the IT Rules.

As per the information provided by the Ministry of Information and Broadcasting, content in print media is regulated by the Press Council of India set up under the Press Council Act, 1978. The IT Rules provide for a Code of Ethics ("Code") to be followed by the publishers which would include OTT platforms that publish such content and a three-tier grievance redressal mechanism for addressing grievances related to the violation of the Code by such publishers consisting of self-regulation by publishers as the first level, self-regulation by self-regulatory bodies of publishers as the second level and an oversight mechanism by the Central Government as the third level.

The Code requires publishers of online curated content to not transmit any content which is prohibited by law and to undertake age-based self-classification of content, based on general guidelines provided in the Schedule to the IT Rules, along with adequate safeguards for restricting age-inappropriate content for children with adequate access control measures. These rules provide for a complain based mechanism to address complaints/grievances relating to violation of the Code. The IT Rules do not provide for pre-screening of content on the publishers of online curated content.

(c): The IT Rules cast specific obligation on intermediaries, including social media intermediaries, to observe due diligence and provide that if they fail to observe such due diligence, they shall no longer be exempt from their liability under law for third-party information or data or communication link hosted by them. Such due diligence includes

making reasonable efforts to cause the users not to host, display, upload, modify, publish, transmit, store, update or share, among others, information which is obscene, or paedophilic, or pornographic, or is invasive of another's bodily privacy, or is harmful to child, or which threatens the unity, integrity, defence, security or sovereignty of India, friendly relations with foreign States, or public order, or which causes incitement to the commission of any cognizable offence, or prevents investigation of any offence, or is insulting other nation, or violates any law.

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