

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
RAJYA SABHA
UNSTARRED QUESTION NO. 2642
TO BE ANSWERED ON 11.08.2023

INFRASTRUCTURE OF CYBER APPELLATE TRIBUNALS

2642. SMT. SULATA DEO:

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

- (a) the details of the cyber-related issues that are either delayed or unresolved due to the lack of infrastructure of Cyber Appellate Tribunal in the country, year-wise;
- (b) whether there are any intentions to accelerate the Cyber Appellate Tribunal's infrastructure in Odisha given the rising number of cyber-related offenses and the necessity for a strong judicial framework to handle them;
- (c) if so, the details thereof;
- (d) whether Government is considering policy changes for appointment of specialized judges, legal experts, and technological specialists available for the Cyber Appellate Tribunal in the country to work efficiently; and
- (e) if so, the details thereof and if not, the reasons therefor?

ANSWER

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

(a) to (c): The policies of the Government are aimed at ensuring an open, safe, trusted and accountable internet for its all users.

As per the erstwhile section 48 of the Information Technology Act, 2000 ("IT Act"), there was a provision for the establishment of one or more Appellate Tribunals to be known as the Cyber Regulations Appellate Tribunal. Further, as per section 57 of the IT Act, any person aggrieved by an order made by controller or an adjudicating officer under this Act may prefer an appeal to Cyber Appellate Tribunal having jurisdiction in the matter.

However, such provision of establishing the Cyber Appellate Tribunal under section 48 of the IT Act was merged with Telecom Dispute Settlement and Appellate Tribunal (TDSAT) through the Finance Act, 2017, where TDSAT comes under the administrative purview of the Department of Telecommunication, Ministry of Communications.

Accordingly, any person aggrieved by an order made by controller or an adjudicating officer under the IT Act may prefer an appeal to TDSAT.

As per the information received from Department of Telecommunication, Ministry of Communications, the details of cyber related cases received, disposed and pending with TDSAT during last three years are placed below –

Year	Opening Balance	Fresh Cases during the year	Final disposal of cases during the year	Closing balance / pendency
2023 (as on 04.08.2023)	94	11	1	104
2022	91	3	0	94
2021	86	9	4	91
2020	75	11	0	86

(d) and (e): As per the information received from Department of Telecommunication, Ministry of Communications, there is no such proposal under consideration.
