

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
RAJYA SABHA
UNSTARRED QUESTION NO. 1527
TO BE ANSWERED ON: 15.12.2023

REGULATORY FRAMEWORK TO COMBAT DEEPFAKE MENACE

1527. SHRI SUJEET KUMAR:

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

- (a) the details of Government's plan to initiate a rule-drafting process to regulate deepfakes;
- (b) the key objectives and principles that will guide the development of this regulatory framework; and
- (c) the details of the plan to involve stakeholders, including technology companies, content creators, and civil society, in the process of drafting regulations to address the impact of deepfakes?

ANSWER

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

(a) to (c): The policies of the Government are aimed at ensuring that Internet in India is open, safe, trusted and accountable to all users. Under Section 66 D of Information Technology Act, 2000, cheating by personation by using computer resource is punishable with imprisonment up to 3 years and fine up to Rs 1 lakh. Further, under Rule 3(1)(b)(vii) of Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, ("IT Rules, 2021) every social media intermediary is mandated to observe due diligence including ensuring the rules and regulations, privacy policy or user agreement of the intermediary inform users not to host any content that impersonates another person. Under Rule 3(2)(b) of IT Rules, 2021 an intermediary is obliged to remove and disable access to content in nature of impersonation, within 24 hours from the receipt of a complaint in relation to such content. Under Rule 7 of IT Rules, 2021, where an intermediary fails to observe these rules, the provisions of sub-section (1) of section 79 of the Information Technology Act, 2000 (immunity) shall not be applicable to such intermediary and the intermediary shall be liable for punishment under any law including the provisions of the Act and the Indian Penal Code. Further, to prevent the harms caused by such misinformation through deepfakes, the Ministry of Electronics and Information Technology has issued advisories to significant social media intermediaries or platforms, drawing their attention to the above provisions.
