

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
RAJYA SABHA
UNSTARRED QUESTION NO.1500
TO BE ANSWERED ON: 31.07.2026

**PROHIBITION OF SEXUALLY EXPLOITATIVE MATERIAL
ON ELECTRONIC PLATFORMS**

1500. # SHRI NEERAJ DANGI:

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

- (a) whether it is a fact that advertisements and other material relating to sexual exploitation of children are abundantly available on electronic platforms;
- (b) if so, the details thereof and the action taken by Government to immediately deactivate such material; and
- (c) Government's policy with regard to advertisements displayed on Instagram and the reasons for displaying such material on platforms accessible in India?

ANSWER

MINISTER OF STATE FOR ELECTRONICS AND INFORMATION
TECHNOLOGY
(SHRI JITIN PRASADA)

(a) to (c): The policies of the Government are aimed at ensuring an Open, Safe, Trusted and Accountable Internet for its users, including children. With the expansion of the Internet and more and more citizens, including children, accessing the internet services, the risk of exposure to inappropriate content and the harmful effects of these activities have also increased. The Government is cognizant of the immense opportunities offered by these technologies and the harms they may cause. In order to protect the children and adolescents from exposure to inappropriate content and the harmful effects of social media, the Government has adopted a series of measures for preventing the flow of such information.

The Information Technology Act, 2000 ("IT Act")

The IT Act provides punishment for various cyber offences such as identity theft (section 66C), impersonation (section 66D), privacy violations (section 66E), publishing or transmitting obscene or sexually explicit content (sections 67, 67A, 67B). It also empowers Police to investigate offences (Section 78 and 80).

The Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 ("IT Rules")

The IT Rules cast specific obligations on intermediaries to observe due diligence while discharging their duties and shall inform the users of computer resources not to host, display, upload, modify, publish, transmit, update or share any information that is harmful to children, obscene, pornographic, invasive of another's privacy, insulting or harassing on the basis of gender or violates any law for the time being in force.

In case of failure of the intermediaries to observe the legal obligations as provided in the IT Rules, they lose their exemption from third party information provided under section 79 of the IT Act. They are liable for consequential action or prosecution as provided under any extant law.

Recent amendments to IT Rules:

- Recent amendments to IT Rules require social media platforms and other intermediaries to remove unlawful content within three hours of the receipt of an order of a court of competent jurisdiction or reasoned intimation by the Appropriate Government or its agency.
- The intermediary, within two hours from the receipt of a complaint made by an individual or any person on his behalf, in relation to any content which involves full/ partial nudity, exposing the private area and artificially morphed images of an individual should take all reasonable care and practicable measures to remove or disable access to such content which is hosted, stored, published or transmitted by it.
- Intermediaries, in cases where the violation involves the commission of an offence under any law currently in force, such as the Bharatiya Nyaya Sanhita, 2023 read with the Bharatiya Nagarik Suraksha Sanhita, 2023, or the Protection of Children from Sexual Offences Act, 2012, which mandates reporting must report such offence to the appropriate authority in accordance with the provisions of the applicable law.

Countering harms caused by AI generated content:

The Government has further strengthened the regulatory framework by amending the IT Rules, 2021 to address harms arising from synthetically generated information (SGI), including deepfakes and AI-generated content. Key points related to the amendment are as follows:-

- Intermediaries are required to ensure clear labelling and traceable metadata for permissible AI generated content, so that users can easily identify synthetically generated material and prevent deception or misuse.
- It further strengthens user accountability and platform due diligence, including mandatory user awareness regarding legal consequences of unlawful AI-generated content and stronger compliance obligations for social media intermediaries.
- Importantly, the guidelines explicitly cover child sexual exploitation material, non-consensual intimate imagery, impersonation and other harmful AI-generated content, requiring platforms to prevent such content and take prompt action when detected.
- Strengthening of timelines for compliance, including reduced timelines for removal of unlawful information upon actual knowledge upon valid reasoned intimation from the Appropriate Government or court orders (timeline reduced from 36 hours to 3 hours) and for grievance redressal (including special categories such as nudity/impersonation etc.) (timeline reduced from 72 hours to 36 hours and 24 hours to 2 hours for sensitive matters, respectively).
- Intermediaries are obligated to deploy reasonable and appropriate technical measures, including automated tools or other suitable mechanisms, to not allow any user to create, generate, modify, alter, publish, transmit, share, or disseminate, as the case

may be, any synthetically generated information that violates any law for the time being in force.

IT Rules mandate the Significant Social Media Intermediaries (SSMIs) i.e. Social media intermediaries having 50 lakhs or above registered user base in India to take reasonable efforts to deploy appropriate technical measures, including automated tools or other suitable mechanisms, to proactively identify information that depicts any act or simulation in any form depicting rape, child sexual abuse or conduct, whether explicit or implicit, or any information which is exactly identical in content to information that has previously been removed.

A significant social media intermediary providing services primarily in the nature of messaging should enable the identification of the first originator of the information on its computer resource for the purposes of prevention, detection, investigation, prosecution or punishment of an offence related to the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, or public order, or of incitement to an offence relating to the above or in relation with rape, sexually explicit material or child sexual abuse material, punishable with imprisonment for a term of not less than five years.

SSMIs are also obligated to publish compliance reports, appoint local officers, and share physical addresses based in India for compliance and law enforcement coordination.

CSAM material on social media:

Government of India has taken serious note of the reports alleging the dissemination of advertisements linked to child sexual abuse material (CSAM) on social media platforms and sought a detailed report from the concerned intermediary. The National Commission for Protection of Child Rights (“NCPCR”) has also issued notices to concerned social media platforms.

Advisories and Standard Operating Procedure (SOP):

Government has issued multiple advisories to the intermediaries, including the Social Media Intermediaries, emphasizing the observance of due diligence obligations under the IT Act and IT Rules. The details of the advisories issued and SOPs formulated are as follows:

- Vide Advisory dated 29.12.2025, government reiterated to the intermediaries regarding observance of statutory due diligence obligations under the IT Act and IT Rules, for preventing hosting, publication, transmission, sharing or uploading of vulgar, indecent, obscene, pornographic and other unlawful content on their platforms. It also advised the intermediaries to undertake an immediate review of their internal compliance frameworks, content moderation practices and user enforcement mechanisms, and to ensure strict and continuous adherence to the provisions of the IT Act and the IT Rules.
- An advisory dated 16.03.2026 was issued to intermediaries with respect to the generation, hosting, publication, transmission, sharing or uploading of abusive, defamatory, objectionable, derogatory and misleading synthetically generated information.

- A Standard Operating Procedure (“SoP”) to curtail dissemination of Non-Consensual Intimate Imagery (NCII) content on online platforms has been formulated and released on 11.11.2025. The SoP provides detailed guidance for victims, intermediaries and law enforcement agencies to ensure prompt and uniform action against the online dissemination of NCII content including intimate or morphed images shared without consent.

Blocking harmful content:

Section 79(3) (b) of IT Act, 2000 provides for notification to the intermediaries for removing/disabling access to unlawful content. Based on complaints, the Government regularly takes action against such intermediaries and OTT Platforms. The government has disabled 50 OTT Platforms for public access in India in the last two years for displaying obscene content and for violation of Section 67 and 67A of the IT Act, Section 294 of the BNS and Section 4 of the Indecent Representation of Women (Prohibition) Act, 1986.
