

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
LOK SABHA
UNSTARRED QUESTION NO. 2614
TO BE ANSWERED ON: 03.01.2018

SOCIAL NETWORKING SITES

2614 SHRI HARISH CHANDRA ALIAS HARISH DWIVEDI:

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

- (a) whether social networking sites are being misused by the general public by uploading objectionable images and videos;
- (b) if so, the details thereof;
- (c) whether the Government proposes to amend the relevant criminal laws in order to regulate and control these activities;
- (d) if so, the details thereof; and
- (e) the measures taken/being taken by the Government in this regard?

ANSWER

MINISTER OF STATE FOR ELECTRONICS AND INFORMATION TECHNOLOGY
(SHRI ALPHONS KANNANTHANAM)

- (a): Yes, Sir.
- (b): The number of Social Media pages / Uniform Resource Locators (URLs) blocked/removed since 2014 under the provision of section 69A of the Information Technology (IT) Act 2000 are 4137.
- (c): No, Sir.
- (d): Does not arise.
- (e): There are legal provisions to regulate misuse of social media:
 - (i) The Information Technology (IT) Act, 2000 provides for punishment for publishing or transmitting objectionable contents through following provisions:
 - Section 66E: Punishment for violation of privacy
 - Section 67: Punishment for publishing or transmitting obscene material in electronic form.
 - Section 67A: Punishment for publishing or transmitting of material containing sexually explicit act, etc., in electronic form
 - Section 67B: Punishment for publishing or transmitting of material depicting children in sexually explicit act, etc. in electronic form.
 - (i) The Information Technology (IT) Act, 2000 also has provisions for removal of objectionable online content. The Information Technology (Intermediary Guidelines) Rules, 2011 notified under section 79 of the IT Act requires that the Intermediaries shall 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, objectionable, affect minors and unlawful in any way.
 - (ii) Government also takes action under section 69A of the IT Act, 2000 for blocking of websites/webpages with objectionable contents, whenever requests are received from designated nodal officers or upon Court orders. Section 69A of the IT Act empowers Government to block any information generated, transmitted, received, stored or hosted in any computer resource in the interest of 1) sovereignty and integrity of India, 2) defence of India, 3) security of the State, 4) friendly relations with foreign States 5) public order or 6) for preventing incitement to the commission of any cognizable offence relating to above.

(iii) Further, the Information Technology (Intermediary Guidelines) Rules, 2011 notified under section 79 of the IT Act requires that the Intermediaries shall 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, objectionable, affect minors and unlawful in any way.
