

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
LOK SABHA
STARRED QUESTION NO. *301
TO BE ANSWERED ON: 17.03.2021

REGULATION OF SOCIAL MEDIA

***301. SHRI DEEPAK BAIJ:**

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

- (a) whether the Government proposes to appoint a regulator to make social media accountable and if so, the details thereof;
- (b) the action taken by the Government against social media companies so far and the number of people whose social media accounts have been suspended during the last one year; and
- (c) whether the Government has conducted any study regarding the impact of Government's control over social media vis-a-vis right to freedom of expression enshrined in the Constitution and if so, the details and the outcome thereof?

ANSWER

MINISTER FOR ELECTRONICS AND INFORMATION TECHNOLOGY (SHRI
RAVI SHANKAR PRASAD)

- (a) to (c): A statement is laid on the Table of the House.

**STATEMENT REFERRED TO IN REPLY TO LOK SABHA STARRED
Q. NO.*301 FOR 17-03-2021 REGARDING REGULATION OF SOCIAL MEDIA**

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(a) and (b): The social media platforms, for the user generated content made available on their platforms, are intermediaries as defined in the Information Technology Act, 2000. Section 79 of the Act provides exemption from liability to intermediaries, provided they follow certain due diligence and are required to disable/remove unlawful content relatable to Article 19(2) of the Constitution, on being notified by appropriate government or its agency or through court order. In order to provide enhanced user safety as also accountability of social media platforms, Government has released the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 under the Act that specifies the due diligence to be followed by all the intermediaries including the social media intermediaries. The social media platforms are enjoined to develop a robust grievance redressal system.

Presently, there is no proposal with Ministry of Electronics and Information Technology to appoint a regulator for social media.

Under provision of section 69A of the Information Technology Act, 2000, Government blocks unlawful and malicious online content including social media account, in the interest of sovereignty and integrity of India, defence of India, security of the State, friendly relations with foreign states or public order or for preventing incitement to the commission of any cognizable offence relating to above. Under this provision, 9849 URLs/accounts/webpages, mostly on social media platforms, were blocked during the year 2020.

(c): No such study is undertaken by the Government. The Government values freedom of speech and expression which is a fundamental right under article 19(1) of the Constitution. The Government welcomes criticism, dissent and also the rights of people to ask questions on social media. However, this needs to be acknowledged that the fundamental right of speech and expression under article 19(1) is also subject to reasonable restrictions under article 19(2) of the Constitution which can be imposed in the interest of security, safety and sovereignty of India, public order, friendly relations with foreign countries etc. It is equally important that social media should not be abused or misused to defame, promote terrorism, rampant violence and compromise the dignity of women. It is for these challenges that the intermediaries are expected to remove/disable content as and when brought to the knowledge of

intermediaries either through a court order or through a notice by appropriate government or its agency or when directed under section 69A of the IT Act 2000, following due process of law.
